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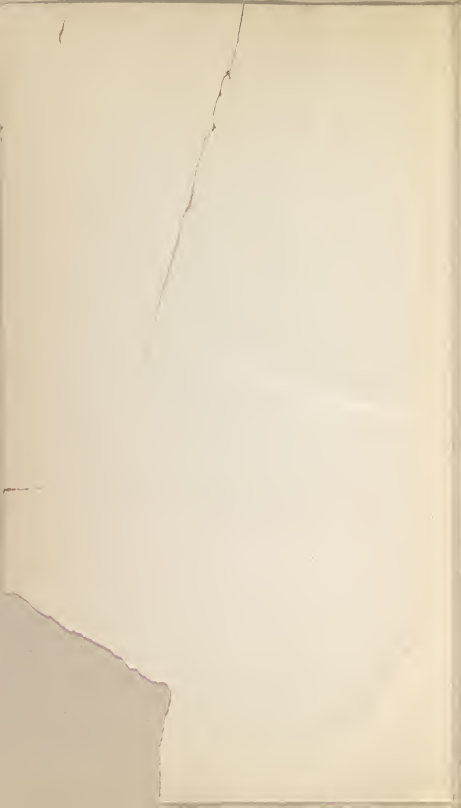
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COLUMBIA
DOCUMENTS
OF THE
BOARD OF ALDERMEN
OF THE
CITY OF NEW YORK.

FROM No. 1 to No. 44, INCLUSIVE
FROM JANUARY TO JUNE, 1854.



VOLUME XXI.—PART I.

NEW YORK:
McSPEDON & BAKER, PRINTERS TO THE COMMON COUNCIL.
1854.

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BOARD OF ALDERMEN,

JANUARY 2, 1854.

The following annual message of His Honor the Mayor was received, read, directed to be entered at length on the minutes, and double the usual number of copies ordered to be printed.

D. T. VALENTINE, *Clerk.*

GENTLEMEN:—In pursuance of the provisions of the charter under which you have been called to administer the government of this city, I proceed to submit, for your consideration, such subjects as in my judgment demand your attention. The year just closed has been fruitful in events of vast importance, as connected with our municipal affairs; events so familiar to every class of the community, I need not dwell upon them in a communication of this character.

You are now organized as the Common Council of this city, in accordance with the provisions of a charter which has been accepted and adopted by a great majority of our fellow citizens.

To a city like New York, the charter, defining its rights and powers, is an instrument of vast importance in every point of view; and, as security to life and property is

most surely upheld by the permanency of the laws by which communities are governed ; so that charter, from which all powers and rights are originally derived, should never be subjected to alteration or amendments, except under circumstances of the most imperious necessity. Believing this, I cannot but deprecate the practice which has grown into use of late years, of applying, almost annually, to the Legislature of the State for amendments to the charter, whose necessity is urged to meet special emergencies, or alleged exigencies. We are now governed by portions of four distinct charters ; and although their various provisions do not absolutely conflict with each other, I cannot but feel, that a more complete organization of our municipal affairs would have been better secured by one complete and perfect instrument.

Various State laws are also in operation, affecting the internal regulations of our city, which, in my judgment, could have been carried as successfully into operation by the action of the municipal authorities, without the intervention of the Legislature. This disposition, of late years, to apply to the Legislature for amendments and alterations in our charter, as well as to existing State laws affecting our municipal organization, is, in my opinion, pernicious in its tendency, and derogatory to the dignity and character of our city.

Originally possessing powers ample for all possible contingencies, and fully adequate to meet the demands of municipal government, powers, conferred on us as a city, and guaranteed, as to their permanency and efficiency by the constitution of our state, and which rendered us actually independent of legislative interference ; we have permitted ourselves to be subjected to the control of the state authorities, until, al-

though we stand first among the cities of the Union, we have, in truth, as few powers, and as few rights as the least of them, and the legislative action of each year takes from us some powers, and divests us of some rights.

It cannot be expected that Legislators, uninformed by observation as to the actual wants of our city, and unacquainted with its actual resources, can legislate always for our best interests; and that public interests and public good are often made subservient to private interests and private ends, is abundantly demonstrated by our experience.

I suggest, therefore, gentlemen, that you cause all the existing provisions of the various charters in operation, to be collated and compiled in one volume, as well as the various laws formed by the legislature, affecting our city. They will be found abundant for the protection of life and property—for the prevention of frauds, and the successful administration of our local affairs. Let the ordinances be also revised and framed so as to conform to all the requirements of the charters, and with proper laws, properly administered, we need not exhibit again the humiliating spectacle of a city like New York, virtually admitting its inability to conduct its own municipal affairs, without the interference of the legislative authorities.

You are called on, gentlemen, to administer the government of this city, under circumstances calculated to impress you with a deep sense of your responsibility, and the conviction that you will be held to a rigid accountability by your constituents. The interests committed to you are vast and important; you represent a constituency excelled by few in the world in point of numbers; by none in intelligence and promptness to appreciate fidelity to a public

trust, or to discover and denounce abuses of their confidence. Much has been confided to you—much will be expected from you, and in no way can you so surely meet the requirements of your constituents, as by harmony of purpose and unity of action with reference to measures affecting the peace, order, comfort and general well being of the community.

The financial condition of our city, as regards the estimated receipts and expenditures for the current year, has been so recently and lucidly set forth by the Comptroller, in presenting his annual estimates for appropriations, I need not dwell upon it, but submit a concise statement of our indebtedness, and the extent of our resources, as prepared up to the 30th ultimo.

*Permanent City Debt, Redeemable from the Sinking Fund,
January 2d, 1854.*

| | |
|--|-----------|
| 5 per cent. Public Building Stock, redeemable in 1856..... | \$515,000 |
| 5 " Building Loan " No. 3, redeemable in 1870..... | 75,000 |
| 5 " " " " " 4, " 1873..... | 75,000 |
| 5 " Fire Indemnity " redeemable in 1868..... | 402,768 |
| 5 " Water " " in 1858..... | 3,000,000 |
| 5 " " " " in 1860..... | 2,500,000 |
| 5 " " " " in 1870..... | 3,000,000 |
| 5 " " " " in 1875..... | 255,600 |
| 5 " " " " in 1880..... | 2,147,000 |
| 5 & 6 " Croton Water " " in 1890..... | 1,000,000 |
| 7 " Water Loan " " in 1857..... | 990,488 |

Total amount of Stocks..... \$13,960,856

Stocks held by Commissioners of Sinking Fund for pay-

| | |
|---|-------------|
| ment of City Debt..... | \$3,092,548 |
| Investment in Revenue Bonds..... | 200,000 |
| Amount of Bonds and Mortgages, say..... | 924,600 |
| Balance in Bank, Dec. 31, 1853 say..... | 420,000 |
| | 4,637,148 |

Actual amount of Permanent Debt, Jan. 2d, 1854, say..... \$9,323,708

*Funded Debt redeemable from Taxation, and payable in
Annual Installments of \$50,000.*

| | | |
|----------------------------------|---|------------------|
| 6 per cent. | Building Loan Stock, No. 2, redeemable in 1854-6..... | \$150,000 |
| 5 | " Public Building Stock No. 3, " in 1857-62..... | 300,000 |
| 5 | " New York City Stocks for Docks and Slips, redeemable in 1867-76..... | 500,000 |
| Total amount of Funded Debt..... | | <u>\$950,000</u> |

The interest on the above stocks is paid from the "Sinking Fund for payment of interest on City Debt." It is a gratifying fact that the resources of this fund are fully adequate for the payment of said interest.

It has been the practice heretofore to allow the expenditures to outrun the appropriations to an extent so great as to become a serious item in the tax bill of each succeeding year; but I trust that a practice, fraught with such pernicious tendencies, will no longer be encouraged, but entirely avoided. The appropriations for each year are based upon estimates furnished by the heads of each of the departments of the city government, and ought never to be exceeded except under circumstances of peculiar emergency. The annual expenses of our city now exceed those of the four largest States in the Union, including our own; and they have increased, during the past few years, to an extent not warranted by the growth or real necessities of the city. It is in your power to prevent any further unnecessary increase in the expenditures, by refraining from authorizing work to be done which is not really called for by the wants of the city, when the regular appropriation is exhausted, and which must be paid for by special appropriations, to be added to the taxes of the succeeding year. I can only invite your attention to these important mat-

ters; the power to regulate and control them for the best interests of our constituents remains with you.

The subject of railroads in cities has of late attracted much attention, not only in our own community, but in many of our sister cities, and has been very thoroughly discussed, so as to render any extended remark on my part unnecessary. This matter is one of such vital interest to our city, I deem it my duty to bring it officially to your notice, and to offer some suggestions which the apparent tendency of the times seem to render proper on this occasion.

Railroads, for city travel, are now in operation in the Second, Third, Fourth, Sixth and Eighth avenues, and in the Tenth avenue the Hudson River Railroad Company has a track which is used only for their regular freight and passenger cars. That the railroads for city travel in those avenues are generally esteemed as great conveniences, can hardly be doubted; and the number of our citizens daily passing over them sufficiently attests their utility and popularity. Wherever railroads have been laid so as to interfere with lines of omnibuses, they have generally attracted the largest share of the travel—the rapidity, ease and punctuality of the cars being almost invariably preferred to the omnibus. But even these numerous roads scarce suffice to accommodate the community, and there can be little doubt that public opinion is tending strongly to favor their location wherever it may be deemed feasible.

The public streets are, beyond all question, common high-ways; they are the property of the city, and entirely

within your control as the representatives of its inhabitants. It is alike your province and your duty to provide every accommodation for the public, in the way of travel, which can be secured without seriously trenching on private rights; and if public opinion shall demand additional railroad conveniences, it will become your duty to supply them, keeping, however, always in view the best interests of the city, and adhering with scrupulous fidelity to the provisions of our charter. The streets then being common thoroughfares, any monopoly or exclusive privilege to use them for any purpose, by which individuals or associations would be benefited, can only be granted as the charter directs, viz : by sale at public auction, encouraging honorable competition, and this I deem to be the only correct principle, for not only will the city treasury be largely benefited, but the greatest amount of public accommodation will be provided, at the least expense to those to whom it is furnished.

The city should always retain the right to direct the laying down, the control and the management of all railroads within its precincts, and to this end I would submit the expediency of establishing a bureau composed of practical gentlemen, qualified by education and experience for the responsible duties which would necessarily devolve upon them. Let all railroads now constructed, and such as may hereafter be authorized by your Honorable Bodies, be laid down, and controlled by this bureau under such directions as the Common Council shall specify, and with proper officers authorized to adopt and enforce regulations as to their management, the public would be insured the

greatest amount of accommodation with the least possible expense.

This subject is of vast importance, worthy of serious consideration, and I commend it to your attention for such action as you may deem expedient.

The condition of our streets, as to cleanliness, during the past year, has been the subject of general and just animadversion. While a larger sum has been expended for the avowed purpose of keeping the streets clean during the past year, than in any previous year, it is notorious that they have never been more neglected. Of the past, however, it is now unnecessary to speak, except perhaps as a warning for the future against similar extravagant expenditures, as the streets are to be cleaned henceforth by contract for a time at least, at prices which will diminish materially the expense of this department. How the system of cleaning the streets by contract will result as at present arranged, remains to be tested, and certainly ought to be fairly tried. The experiment heretofore made, of cleaning the streets by contract, did not, it was thought, produce the benefits which were anticipated; but this, it may be urged, was the consequence more of the mode in which the system was tried, than in the system itself. If the present contractors are held to a strict performance of all the stipulations in the contracts, justly construed, and the penalties for a non-fulfillment are rigidly enforced, my own impression is that the system will be found to operate economically and advantageously to the city.

The proper paving of the thoroughfares in the city, is a matter of much importance, and many experiments have heretofore been tested at great expense, but until recently, with unvarying failure as to the result. The pavement of Messrs. Russ & Reid as laid in Broadway, from the South ferry to Union square, is undeniably the best, the most durable and the most serviceable of any ever tested in our city. The original expense of laying it down is very great; but I am not prepared to say that, taking its durability into consideration, it is not, in the end, the most economical for that thoroughfare. So far as I am informed, the city has not been called on to pay any thing for repairs to this pavement, on any portion of Broadway; and the vast amount of travel over it, without the necessity of repairs for so long a time, would seem to justify the belief that it is the best which has yet been found for so great a thoroughfare, and that it sustains the reputation claimed for it by the parties under whose supervision it has been laid down.

In a portion of the Bowery, a species of pavement, claimed to be of Belgian invention, has been laid down about a year, and has proved, thus far, adequate to sustain the travel on that thoroughfare. A contract has recently been entered into, with Messrs. Cook & Co., to pave Grand street, from Broadway to the East river, and the entire length of Fulton street, with this species of pavement, at a cost of two dollars and ninety-eight cents per square yard. If it shall stand the test of travel as well in those streets as it has done in the Bowery, there is little doubt that its adoption, in many of the minor thoroughfares, may become general and advantageous.

The encumbrances in our streets have remained throughout the past year with so little diminution, causing such serious annoyance and inconvenience, I submit to you the expediency of a prompt inquiry into the subject, with a view to such legislation as will secure a radical and permanent remedy. Without specifying particularly the character of these obstructions, it is sufficient to remark that for want of concert of action on the part of the proper departments, the laws respecting obstructions in the streets have been constantly violated, almost with impunity. Some few prosecutions have been instituted, and penalties exacted; but in most of these cases, the characters of the obstructions complained of were far from being so annoying or productive of so much inconvenience, as in many instances which were suffered to pass unnoticed. The existing ordinances on this subject require a thorough revision, and it will be found that in many particulars they conflict with each other, as well in the character of the duties devolved upon different officers of the city government, as in the imposition of penalties for their violation.

The obstructions on the side walks and bulkheads on the North and East rivers, to which reference was made in my last annual message, remain unabated, and I trust may receive some attention at your hands. The public is seriously incommoded, and the city virtually defrauded out of a large amount of revenue, by the manner in which many of the wharves, piers and bulkheads are converted into places for private storage. This subject is one of so much importance, I trust it will receive prompt attention at your hands.

The condition and efficiency of the Police Department have materially improved since my last message. By an act of the legislature, passed at the last session, several important changes have been made in the organization of the Department and the tenure of office, which is now limited only by the good behavior of the incumbent. The power of appointment is now vested in a commission, consisting of the Recorder, City Judge, and Mayor, who have the sole power to try and punish parties violating the rules of the Department, and who, in conjunction with the Chief of Police, are authorized to prescribe rules for the government of the force. It has been the aim of the Commissioners to make this large and expensive force as serviceable as the community had a right to expect; and thus far they have reason to be satisfied with the result of their labors. They have invariably selected for appointment, only such men as in their judgment were well qualified for the duties and responsibilities of the office; and they have prescribed such rules as, in their opinion, would best insure security to the lives and property of our citizens, and a prompt, faithful, and energetic discharge of the duties imposed upon the force.

An uniform has been adopted, and is now in general use throughout the Department, which it was believed would secure greater attention to duty and more zealous watchfulness on the part of all; and thus far the expectations of the Commissioners have, to a great degree, been realized.

A reserve corps has also been established, into which only those have been admitted who have earned the privilege which membership in this corps confers, by strict at-

tention to duty, and by furnishing evidence of fitness for the post. This is a virtual promotion, and in my opinion is calculated to stimulate a laudable ambition among the members of the Department, and to encourage them to a more faithful and zealous performance of their duties.

The subject of lighting the wharves and piers with gas, has been so often urged upon the attention of the authorities, and thus far without success, I cannot close this portion of my message without adverting to it, and renewing my earnest recommendation for your early and favorable attention. It is demanded by every consideration of public policy, public safety, public convenience and humanity.

The condition and management of our markets are subjects meriting attention, as well with reference to the extent of the accommodation afforded to the public, as to the amount of revenue derived from them.

Washington market, the largest and most important of all, is in a very dilapidated condition ; and that cleanliness, which is so essential to such a place, is almost impossible. The ground on which it stands is already required for commercial purposes, for which, if sold, it would command a large price, and becoming the property of private owners, would be subject to taxation, and thus diminish the amount of annual taxes. In view of this, I would suggest for your consideration the expediency of abandoning that location for market purposes, and selecting another site on the margins of the Hudson river, where more room could be obtained, without interfering with the commerce of the city. The tide of population, during the past few years, has

flowed upwards, until the lower wards retain comparatively very few permanent residents ; yet, for want of the desired accommodations elsewhere, Washington market is the resort of residents from every section of this city, and in my opinion, much of the crowd and confusion in Broadway, may be attributed to the numerous vehicles passing to and from this market. Ground could, I have no doubt, be readily obtained in the vicinity of Gansevoort or Fourteenth streets, and the erection of a large and commodious market there, would afford very general accommodation—it would be equally easy of access from every quarter of the city, and would be as desirable in point of convenience to the dealers in country produce, and to the boats which necessarily throng in the vicinity of so large and important a market.

The streets in the immediate vicinity of Washington market, are at times almost impassable, owing to the number of country wagons standing about, and which are permitted by the ordinance to remain during certain hours of the day, within three hundred yards of the market, on the payment of a small daily fee. This has been found very annoying to parties transacting business on the streets thus obstructed,—and numerous complaints have been made to me on the subject, but it has not been in my power to afford any relief. The ordinances regulating the markets are not sufficiently explicit, and in some instances they contain conflicting provisions. They require your attention, and will, I trust, be amended without unnecessary delay.

The remarks which have been made as to the condition of Washington market will apply with almost equal force

to the others, with one or two exceptions. During the past year a new market has been erected on the site of the old Essex market; additions have been made to Centre market, as far as was practicable; and contracts have been advertised for the rebuilding of Catharine market, and the market and Station house at the junction of Houston and second streets.

The action of the Legislature at the special session in July, with reference to public parks, has had an important bearing upon the interests of our city. One act has taken directly from the centre of the island, towards which the flood of population was rapidly pouring, an area of nearly six hundred acres, comprising the ground between Fifty-ninth and One hundred and sixth streets, and the Fifth and Eighth avenues. These limits embrace, in my judgment, an area vastly more extensive than is required for the purpose, and deprives the citizens of the use of land for building purposes which cannot judiciously be spared. In this portion of the island many contracts have been heretofore awarded for opening streets and avenues, and the contractors will have an equitable claim as well for the profits which they might have derived, as for such damages as they may prove to have sustained. It will be your duty to protect the interests of the city as far as possible in this matter, and so to legislate, that while the tax-payers shall be protected, the rights of all parties interested shall be carefully preserved.

Many years must elapse before our citizens can derive any of the benefits which it was anticipated by the friends of this measure, would result from its enactment, and un-

less great care and prudence are exercised, the city may be involved in prolonged and expensive litigation. The Legislature at the same session, also framed an act authorizing the laying out of another park, between the Third avenue and East river, and Sixty-sixth and Seventy-fifth streets, comprising nearly one hundred acres. Commissioners of Estimate and Assessment for this park, have been appointed by the Supreme Court, but it seems to me that one park of six hundred acres, is quite enough for our city, and if another is demanded, it can hardly be deemed the part of a wise and judicious policy to embrace within its limits any of our water front on the East river, and especially when it is in such close proximity to the park already laid out by legislative action. The shore on the margin of this park is generally bold, affording a depth of water invaluable for commercial purposes, and having this in view, I trust that you may deem it expedient to invite the interposition of the Legislature in arresting a measure which, in my judgment, if consummated, would inflict lasting injury to the commerce of our city. I am convinced that you, equally with myself, are fully sensible of the importance of this subject, and that it will receive due attention at your hands.

I have refrained from making any particular allusions to the various Departments separately, for the reasons that the limits of a message will not permit, and that their condition, with reference to their expenses, and the amounts appropriated to each, have been fully set forth in the annual appropriation bill, recently submitted by the Comptroller, and which will, I have no doubt, receive early attention at your hands, as no action was had thereon by the late Common Council.

Since my accession to office, a very important change has taken place in the organization of our Common Schools, the Public and Ward Schools being now merged into one institution, managed and controlled by the Board of Education, and the property of the Public School Society has been transferred to the city, which has assumed the indebtedness of that organization. This, which has been effected by legislative enactment, will, it is to be hoped, prove highly advantageous, as there are no conflicting interests to retard the prosperity, or impair the usefulness of these valuable and popular Institutions.

They are such important elements in the training and culture of future generations, and the influences extended by them are so beneficial, and so universal, too much care or attention could scarcely be bestowed upon them; and it is a source of gratification to me, to be enabled to state, that their condition is most satisfactory, and their means for the diffusion of knowledge among all classes who desire to avail themselves of the inestimable benefits of education, ample to meet all the demands which can be made upon them.

The advantages flowing from a well organized system of popular education cannot be too highly appreciated, or the means of imparting it too sedulously watched and cared for. The appropriations for school purposes for the current year are large; but in view of their intimate connection with the security of our liberties and the perpetuity of our noble institutions, at once the pride and glory of our country, few, I am sure, will be found to complain of the amount.

The institutions of this city for the reception of the poor, have, of late years, been under the charge of a Board of Governors, one of whom is elected annually by the people ; and I have no doubt that this organization has been found to work more advantageously for the city than any previously tested. These gentlemen have, under their care and control, all the places of detention in the city, as well as the various prisons, alms houses, hospitals, &c., &c., on Blackwell's and Randall's Islands. A visit recently paid to most of these establishments has impressed me favorably as to their condition and management, and has confirmed to my mind the conviction that the annual appropriations for their support are judiciously expended. The establishment of a work house on Blackwell's Island, which has very recently been put in effective operation, will, it is not doubted, answer all the expectations formed of it by those familiar with the operations of similar institutions elsewhere.

There are other topics, gentlemen, to which I might have adverted with propriety, though I have not deemed them of sufficient importance to justify me in extending this message to any greater length. If occasion should require, I shall avail myself of the powers committed to me by the charter, and make them the subjects of a special communication.

Your first duty will be to render yourselves familiar with the operations of the various Departments connected with our City Government, and their connection with each other, and I have little doubt that the information which will be necessarily acquired in the course of your investi-

gations, will enable you to legislate with a greater certainty of attaining those results for which you have been elected, than could be imparted in any communication which I might make.

With these remarks, I commend to you the important interests which you have been chosen to represent, assuring you of my hearty co-operation in every measure which may tend to the welfare and prosperity of our city.

JACOB A. WESTERVELT.

DOCUMENT No. 2.

BOARD OF ALDERMEN,

JANUARY 3, 1854.

The following annual report of the Croton Aqueduct Department was received, laid on the table and ordered to be printed.

D. T. VALENTINE, *Clerk.*

*To the Honorable the Common Council
of the City of New York :*

The Croton Aqueduct Board has the honor of presenting herewith its

ANNUAL REPORT:

The general condition of the aqueduct, the general policy and routine of action of this Board, in reference to every branch of the important work committed to its charge, have been so fully set forth in the reports of the last five years, that a repetition of them here is deemed unnecessary. We propose, therefore, to lay before you, in as succinct a form as possible, an account of the operations of the year, and as the simplest method of doing so, the matters treated of are, as in our former reports, arranged under the several heads under which the accounts of disbursements are kept.

AQUEDUCT CONSTRUCTION.

The disbursements under this head have been confined to expenses incurred in the suit of Stephen R. Clarke and

others, *vs.* the Mayor, Aldermen and Commonalty of the city of New York ; although the particulars of this suit have been fully set forth in former reports, yet it is deemed a matter of sufficient importance to justify a recapitulation of the prominent points, bringing down the history of the case to the present moment.

The suit was commenced in 1844, to recover a balance of account, and damages claimed by the plaintiffs, as contractors for the construction of the receiving reservoir. The main point of controversy grew out of an order issued by the Board of Water Commissioners, in the month of May, 1844, directing that a certain portion of the reservoir should not be excavated to the depth originally contemplated in the plans and specifications of the work. The plaintiffs contended, that such order was in violation of their contract, and that in consequence thereof they had sustained heavy damages. In January, 1845, the matters in dispute were referred to Messrs. William C. Bouck, David Hamilton and James B. Wasson, Esqrs. ; hearings were had before the referees, and in May, 1846, an award was made by them in favor of plaintiffs for fifty thousand nine hundred and forty-nine dollars and six cents.

An appeal from this decision was then taken to the general term of the Supreme Court, where it was argued in behalf of the city, by James T. Brady, Esq., and in September, 1848, a majority of the judges affirmed the award of the referees (Judge Barculo dissenting) and judgment was thereupon entered against the city for sixty thousand eight hundred and ten dollars and eighty-five cents, damages, interest and costs. From this judgment an appeal was taken on behalf of the city to the Court of Appeals, where,

after argument by Mr. Brady for the city, the Court in 1851, reversed the decision of the Court below, and ordered a new trial.

Subsequently the cause was again brought up for trial, and Mr. Brady being absent in Europe, Charles O'Connor, Esq., was retained as counsel, who, together with Peter B. Sweeney, Esq., conducted the case in behalf of the city. In May, 1851, the case was again referred, Levi S. Chatfield, William J. McAlpine and William Eagleson, Esqrs., being appointed referees. In 1853, these gentlemen made an award against the city, which, in the opinion of the eminent counsel above-named, was not in accordance with the instructions of the Court, and the case is, therefore, again carried to the Court of Appeals, where argument will again be offered at its approaching term.

The disbursements under this head appear in schedule A, hereto annexed, amounting to two thousand dollars, where is also shown an unexpended balance of the appropriation, amounting to nineteen hundred and eighty dollars and ninety-five cents, which lapses into the city Treasury.

AQUEDUCT REPAIRS AND IMPROVEMENTS.

The largest amount of expenditure under this head, during the past year, has been for fencing the line of the aqueduct, in Westchester County, partly for the protection of the ground, partly to prevent encroachment and partly to obviate or lessen the chances of subsequent dispute, where contiguous property was about to be sold. We have found it necessary to fence in upwards of seven miles of the line, making in all (both sides of the aqueduct being measured) about fifteen miles of fence.

A large portion of the sixth division, extending from the north-eastern end of the High Bridge to near the village of Yonkers, has been properly graded, and the embankment regularly sloped and "*seeded down*." These necessary steps for the perfect preservation of the side slopes and tops of the embankment had on this division never before been completed.

The ditching throughout the entire line has been finished, and the work is now protected by a thorough system of surface drainage. Many of the smaller culverts, and in several instances, small sections of the retaining and protection walls have undergone repairs, and in some cases new wall has been built. These items, though trifling individually, have helped to make up the aggregate of expenditure.

During the past summer, it was found that the rain water which fell upon the parapet walks of the distributing reservoir, made its way through the flagging, and finally through the external walls of the structure, and also through the interior arches below the parapets. The whole of the flagging and coping was consequently taken up, and relaid throughout in a thick bed of cement, since which the percolation has ceased and the chambers below have been dry.

The last examination of the interior of the aqueduct was made in November. The water was drawn off on the twentieth, and on the three following days the interior was carefully examined from the dam to the Receiving Reservoir. The amount of work required in repair, this year, was as usual, very trifling, being entirely such as results from the otherwise imperceptible settlement of some portions of the work, and consequently such as must diminish with each succeeding year.

The total amount of expenditure under the head of Aqueduct Repairs and Improvements, is shown in schedule B, amounting to fourteen thousand nine hundred and eighty dollars and sixty-seven cents, leaving unexpended, of the appropriation, nineteen dollars and thirty-three cents, which lapses into the City Treasury.

CROTON WATER-WORKS EXTENSION.

During the past year the line of pipe four feet in diameter, for which a special appropriation was made, has been contracted for, delivered, and is now nearly all in its place. It is laid between the gate chambers, on the north and south sides of Manhattan Valley, and is intended to increase the capacity of the aqueduct, which at that point, as at High Bridge, is limited to the discharge of two pipes, of three feet diameter each. This line of pipe was laid in anticipation of the proposed increase of capacity at the High Bridge, and of course it cannot be made available until such improvement be effected. The casting and prompt delivery of four thousand feet of pipe, four feet interior diameter, is a matter of sufficient importance to demand the introduction here of the names of the contractors who furnished it. The whole contract was taken by Messrs. Chollar, Sage & Dunham, of West Troy, New York, and by them executed faithfully, and as promptly as the nature of the work and the means of transportation would permit. Their contract extended to the delivery of the pipes on the wharf, at Manhattanville, where they were taken in charge by the agents of this Department.

There has also been put down this season, a main pipe, thirty inches in diameter, extending from the gate of the Dis-

tributing Reservoir, on Forty-second street, to the Eleventh avenue, and connected with the distributing mains in the Sixth, Seventh, Eighth, Ninth and Tenth avenues, and with that in Broadway. This line is intended to make perfect a direct communication between the distributing mains in that section of the city, and the Receiving Reservoir, and as it can be disconnected from the Distributing Reservoir, it insures that section against any stoppage or diminution of the supply of water, even should temporary circumstances ever render such disconnection necessary. The length of this main is five thousand one hundred and twenty-five feet, and its cost, including stop-cocks and connections, sixty-five thousand dollars.

Again, in its annual report, this Board begs leave earnestly to call the attention of the Common Council to the subject of the new large reservoir. Its importance, and the necessity for obtaining possession, at the earliest possible moment, of the ground for its site, has been so fully set forth, both in our annual reports and in special communications on the subject, that further argument or detailed explanation is useless ; but to urge again and again, by all the means in its power, that some active and energetic measures be taken to secure the ground for this important work, is, in the opinion of this Board, a most undoubted and decided duty.

During the last session of the State Legislature, an act was passed in reference to this subject, which it is deemed proper here to reprint in full.

AN ACT

TO FACILITATE THE ACQUISITION OF LANDS FOR A NEW
RESERVOIR IN THE CITY OF NEW YORK,

PASSED JUNE 30, 1858, THREE-FIFTHS BEING PRESENT.

*The People of the State of New York, represented in Senate
and Assembly, do enact as follows:*

SECTION 1. The Croton Aqueduct Board, in the city of New York, for and in behalf and in the name of the Mayor, Aldermen and Commonalty of the city of New York, are authorized to acquire title to all such lands, tenements, hereditaments and premises, lying between Eighty-sixth and Ninety-sixth streets and Fifth and Seventh avenues, or as much thereof as they may deem desirable, for the purpose of constructing a new reservoir, (in the city of New York,) under the authority of the Common Council.

§ 2. The said Board, in the name of the Mayor, Aldermen and Commonalty of the city of New York, may present a petition to the Supreme Court, at any general term thereof, held in the First Judicial District, praying for the appointment of Commissioners of Appraisal ; such petition shall be signed and verified by the officers of said Board, or any one of them ; shall contain a description of the lands or real estate required for said purpose, and shall set forth that the same are required for the purposes of said reservoir.

§ 3. A notice of the presentation of such petition to the owners, lessees, parties and persons, respectively entitled unto and interested in the lands, tenements, hereditaments

and premises so required, shall be given by advertisement in four of the public newspapers having a large daily circulation in the city of New York, and shall be published daily not less than thirty days ; such notice shall specify the time and place, where and when an application will be made for appointment of Commissioners of Appraisal, in pursuance of such petition, and the extent of the land required to be taken.

§ 4. At the time and place mentioned in said notice, unless the said Court shall adjourn said application to a subsequent day, and in that event, at the time of which the same may be adjourned, upon due proof to the satisfaction of the said Court of the publication aforesaid, shall appoint three competent and disinterested persons, residents of the city and county of New York, Commissioners to ascertain and appraise the compensation to be made to the respective owners, lessees, parties and persons, respectively entitled to or interested in the said respective lands, tenements, hereditaments and premises required for the reservoir aforesaid, and shall fix the time and place of the first meeting of such Commissioners.

§ 5. The said Board may, at the time and place of moving for such appointment, propose to the Court the names of three suitable persons, and the owners, lessees, parties and persons, respectively entitled unto or interested in said premises, may likewise propose the names of three suitable persons as Commissioners of Appraisal.

§ 6. The said Commissioners, before they enter upon the performance of the duties of their appointment, shall severally take and subscribe an oath or affirmation, before some

person authorized by law to administer oaths, faithfully to perform the trusts and duties required of them by this act; which oath or affirmation shall be filed in the office of the Clerk of the city and County of New York, and any one of them may summon witnesses before them in the manner hereinafter provided, may administer oaths to witnesses; and they, or any one of them, in the absence of the others, may adjourn the proceedings from time to time, in their discretion. It shall be their duty to view the premises affected by such proceedings, if they shall deem such view necessary; and they shall hear the proof and allegations of any owner, lessee, party or person entitled to or interested in the said lands, tenements, hereditaments and premises, as to the extent of such interest.

§ 7. It shall be the duty of the said Commissioners to proceed with all reasonable diligence to estimate in favor of the several owners, lessees, parties or persons interested in the lands to be taken, a just and equitable compensation for his, her or their land comprised therein, and to report to the said Court, without unnecessary delay, at a general term thereof, the amount of such compensation to be paid to the respective owners, lessees, parties and persons aforesaid, respectively. The said Commissioners shall set forth in said report the names of the respective owners, lessees, parties or persons entitled thereto, or interested in the said lands, tenements, hereditaments and premises mentioned in the said report, and each and every parcel thereof, so far forth as the same shall have been ascertained by them, and an apt and sufficient designation or description of the respective lots or parcels of land, and other tenements and premises that may be required for the purpose afore-

said. But in the place and stead of such description the said Commissioners may, if they deem it practicable and advisable, refer to a map or maps, to be annexed to their report, showing the exact location and boundaries of each lot or parcel comprised within the land to be taken, as aforesaid, and the names of the owners or persons interested therein, respectively ; but in all and each and every case and cases, when the owners and parties interested in their respective estates and interests are unknown or not fully known to the said Commissioners, it shall be sufficient for them to set forth and state, in their general terms, the respective sums to be allowed and paid to the owners and proprietors thereof generally, without specifying the names or estates or interests of such owners, proprietors or parties interested, or any or either of them.

§ 8. On the report being completed by the said Commissioners, or a majority of them, notice of the presentation thereof, and of a motion for the confirmation of said report, shall be given to the owners, lessees, persons and parties interested in the lands, tenements, hereditaments and premises affected thereby, by advertisement in four of the public newspapers in the city of New York, having a large daily circulation, and shall be published daily not less than sixty days ; such notice shall specify the time when and where an application will be made for confirmation of said report, and the time and place specified in said notice, unless the said Court, at such general term, shall adjourn said motion to a subsequent day, and in that event, at the time to which the same may be adjourned ; the Court, after hearing any matter which may be alleged against the same, shall, by rule or order, confirm the said

report, in whole or in part, or refer the same or some part thereof, to the same Commissioners for revisal or correction, or to new Commissioners, to reconsider the subject matter thereof, or any part thereof; and the said Commissioners, to whom said report, or any part thereof, shall be so referred, shall return the same report, or such part thereof as shall be so referred to them, corrected and revised, or a new report shall be made by them in the premises, to the said Court, without unnecessary delay, and the same, on being so returned, shall be confirmed by the said Court, or again referred by the said Court, in manner aforesaid, as right and justice shall require; and so, from time to time, until a report shall be made or returned in the premises, which the said Court shall confirm; and such report, when so confirmed by the said Court, shall be final and conclusive, as well upon the said Mayor, Aldermen and Commonalty of the city of New York, as upon all the owners, lessees, persons and parties interested in, and entitled unto the lands, tenements, hereditaments and premises mentioned in the said report, and also upon all other persons whomsoever, and upon the confirmation of said report, the said the Mayor, Aldermen and Commonalty of the city of New York shall become and be seized, in fee, of all the lands, tenements, hereditaments and appurtenances in the said report mentioned, that shall or may be so required for the purpose of the new reservoir aforesaid. In trust, nevertheless, that the same be appropriated as and for a reservoir of the Croton Aqueduct; and thereupon the said Mayor, Aldermen and Commonalty, and the Croton Aqueduct Board, or any person or persons acting under their authority, may immediately, or at any time or times thereafter, take possession of the same, or any part or parts

thereof, without any suit or proceedings at law for that purpose.

§ 9. Sections one hundred and eighty-two, one hundred and eighty-three, one hundred and eighty-four, one hundred and eighty-seven and one hundred and eighty-eight of the act entitled an act to reduce several laws relating particularly to the city of New York, into one act, passed April ninth, eighteen hundred and thirteen, shall apply to this act, in the same manner and to the same effect as if the same were enacted herein.

§ 10. The Commissioners appointed under this act shall receive, each, the sum of not more than four dollars, (besides all reasonable expenses for maps, surveys, plans and clerk hire,) for each day they shall respectively be actually employed in the duties of their appointment; the same to be paid by the Mayor, Aldermen and Commonalty of the city of New York.

§ 11. This act shall take effect immediately.

STATE OF NEW YORK, }

Secretary's office. } I have compared the preceding with an original law on file in this office, and do certify that the same is a correct transcript therefrom, and of the whole of said original.

[L. S.]

Given under my hand and seal of office, at the said city of Albany, the ninth day of July, in the year of our Lord one thousand eight hundred and fifty-three.

HENRY S. RANDALL,

Secretary of State.

So far as is known to this Board, whatever be the causes, no efficient action, or at least no perceptible progress has yet been made under this law.

In connection with this subject, the Board would call the attention of the Common Council to the necessity of some action upon one or other of the plans proposed for increasing the capacity of the aqueduct at the High Bridge. For, although in view of the rapid increase in the value of real estate, it would undoubtedly save a large sum to the city to acquire at once the right of ownership to the site selected for the new reservoir, its actual construction would be useless until the means of rendering it available were perfected by the proposed improvement at the High Bridge. Both of these works are urgently demanded, and should be energetically prosecuted.

The amount of expenditure under the head of Croton Water Works Extension, is shown in schedule C ; it is one hundred and forty-seven thousand and seventy-one dollars and forty-three cents. The unexpended balance, lapsing into the City Treasury is seventy-two thousand one hundred and ninety-one dollars and eighty-three cents.

The general condition of the aqueduct, throughout the whole line, gives this year, as heretofore, the most satisfactory evidence of the perfectly durable character of the work. A freshet, greater than any we have experienced since the 8th of January, 1841, occurred during the 13th and 14th of November last, doing some slight damage, at various points on the line, but not affecting the permanent portions of the structure. Some of the wood work of the

apron, at the foot of the dam, was also torn up by the freshet ; but this, although difficult at most seasons of the year, and comparatively expensive to repair, is not sufficiently injured to affect the masonry of the dam itself. This damage would probably not have occurred, had there been an opportunity, during the present year, to complete the enrockment or heavy paving at the foot of the apron. The water has not been long enough at a low stage to enable us to have this done, unless under great disadvantage, and consequent expense. It will now, however, be necessary to do this work and repair the apron thoroughly, without waiting for so favorable an opportunity as could be wished ; and for this purpose, a specific extra sum was asked for in the appropriation for the coming year, although, for some reason, it seems not to have been included in the annual appropriation budget of the Comptroller.

WATER PIPES AND LAYING.

The expenditures under this branch of service, since the last annual report, amount to one hundred and two thousand nine hundred and ninety-two dollars and seventy-one cents, leaving unexpended, of the appropriation for the present year, nine thousand five hundred and twenty dollars and twenty-nine cents.

The particulars of expenditure will be found in schedule D. The new lines of pipe laid are specified in schedule L. The quantity of pipe laid, during the last year, is much less than the amount brought into service during the

previous years ; the reason for which may be found in the fact, that nearly the whole surface of the island, sufficiently improved to pay an interest on the capital expended in furnishing a supply, is now occupied, and the Department will only be called upon in future to keep pace with the improvements, which are estimated at about five miles annually. The quantity laid, since the organization of the Department, as originally organized, together with the number of miles put down, under the present Board of Management, will be found in schedule N, which also gives the sizes and proportion of each kind now in service. The number of permits, for the use of water, as per register, to the present time, is thirty-six thousand and sixty, of which fourteen thousand six hundred and ten have been granted, since the organization of the Department, under the law of 1849.

INCOME FROM WATER RATES.

The amount paid into the City Treasury, during the current year, as the proceeds arising from the sale of water, is five hundred and sixty-nine thousand and fourteen dollars and sixty-nine cents ; and from interest accruing from non-payment, at the time of coming due, is ten thousand nine hundred and forty-nine dollars and fifty-one cents, being an increase over the receipts of the year preceding, of thirty-five thousand nine hundred and ninety-eight dollars and ninety-four cents.

In order to exhibit the increase in revenue, from the time of the introduction of the Croton in 1842, the following table is subjoined :

| | |
|--|-----------------------|
| From October 5, 1842, to May 1, 1843.... | \$17,836 67 |
| " May 1, 1843, " 1844.... | 91,790 60 |
| " " 1, 1844, " 1845.... | 118,582 74 |
| " " 1, 1845, " 1846.... | 164,532 53 |
| " " 1, 1846, " 1847.... | 194,551 34 |
| " " 1, 1847, " 1848.... | 226,551 83 |
| " " 1, 1848, " 1849.... | 250,483 12 |
| " " 1, 1849, to Dec. 31, 1849.... | 259,532 48 |
| From January 1, 1850, " 1850.... | 458,951 87 |
| " " 1, 1851, " 1851.... | 458,789 83 |
| " " 1, 1852, " 1852.... | 533,965 26 |
| " " 1, 1853, " 1853.... | 579,964 20 |
| Making total of..... | <u>\$3,355,534 47</u> |

Being the entire receipts for water, from all sources, for a period of eleven years and eight months.

The great advances shown in the later years of the above table, arises not so much from the increase in the number of actual consumers, as to a more careful arrangement of the statistics of consumption, which every year's additional experience enables the officers engaged in the bureau of collection to make, and which is shown by a satisfactory and encouraging increase in the revenue.

The income derived from the sale of water has not yet equaled the yearly interest on the debt, though making a nearer approach on each successive year. The deficiency, which has been supplied from other sources, set apart for this purpose, and a general tax, is exhibited in the following table:

In the year 1842, 20 cents on every \$100 of valuation.

| | | | |
|---|--------------------------|---|---|
| " | 1843, $23\frac{38}{100}$ | " | " |
| " | 1844, $20\frac{94}{100}$ | " | " |
| " | 1845, $16\frac{47}{100}$ | " | " |
| " | 1846, $12\frac{70}{100}$ | " | " |
| " | 1847, $12\frac{60}{100}$ | " | " |
| " | 1848, $11\frac{90}{100}$ | " | " |
| " | 1849, $10\frac{30}{100}$ | " | " |
| " | 1850, $6\frac{85}{100}$ | " | " |
| " | 1851, 0 | " | " |

Nothing for a deficiency has been included in the general tax, since the year 1850, the income derived from the water and other rentals, being found sufficient to defray the interest on the bonds issued by the city.

WASTE OF WATER.

The Board regret, that they are compelled, every year, to allude to the unwarrantable waste of an element so valuable and indispensable to the health and comfort of their fellow citizens. Notwithstanding every effort has been made by the Department to check the waste of water, they have every reason to believe that a very great proportion of the water placed at the disposal of the consumers, is used for no valuable or practical purpose.

Held responsible by the law creating the Department, for a good and sufficient supply of water, they have felt that every power given them should be exerted to fulfill the duties of their office, and though disagreeable to the last degree, they have been compelled to impose the penalties without fear or favor, in all infractions of the regu-

lations. They therefore, on a change of the ordinance in relation to the use of street washers, &c., published the amendment in every daily paper in the city, issued over seventy thousand copies of the regulations; and after waiting a sufficient time for every person to become acquainted with the alteration, commenced enforcing the law in a stringent manner. The amount paid into the city treasury, for fines collected for violation of the ordinance, in relation to the use of Croton water for street washing, &c., during the year, is three thousand seven hundred and thirty-five dollars.

And the amount paid for infractions of the regulations of the Department for wilful waste, and these only from a small district of the city, is seven hundred dollars.

So lax has been the enforcement of the Corporation ordinances, that the parties complained of often express surprise that this Department should attempt to levy a fine; and still further, that the fine imposed could not be compromised by a partial payment of the amount.

In order to relieve the city police from the odium cast upon them by the parties complained of, the Board here take the opportunity to state, that of the whole of the above amount collected, only thirty-five dollars has been received from parties whose offence was made known to the Department through the vigilance of the police.

The Board have, however, the satisfaction of knowing, that notwithstanding the increase of water-takers, and consequently of the consumption, the head of water in the

reservoir bears a favorable comparison with that of previous years, and they cannot but believe, that this result arises from increased vigilance over the interests committed to their care.

WATER METERS.

As stated in the last annual report, these instruments have increased in favor, and the consumer who could not be convinced of the quantity of water used in his establishment has now a certain and impartial umpire to determine the difference in estimates between him and the Department; and though the result in almost every case is against the consumer, yet the decision of this small, but costly apparatus, is very generally acquiesced in.

The only instrument yet in use is that of Mr. Samuel Huse, of Boston, and is believed by the Department to be accurate; and, as far as can be ascertained by the action of a working model, deposited in the office for some months, known to be so. The only objection to their far more extensive use is the expense of the apparatus, and some loss in the head of water to those who require its use, at high elevations; and, it is to be hoped, that the ingenuity of some practical inventor may yet overcome these difficulties, and render their adoption more extensive. The difference in rate, made by the instruments now in use, demonstrates that they are, notwithstanding the cost, the most valuable article for this purpose yet introduced to their notice. That the difference between the former estimated amount, and the quantity fixed by actual measurement, may be understood by the reader, a few cases are

subjoined, giving the amounts paid for the six months previous to, and the six months after, the attachment of the meter.

| BUSINESS. | PREVIOUS. | AFTER. |
|------------------------------|-----------|------------|
| 1, Sugar Refinery..... | \$153 00 | \$3,433 32 |
| 2, " | 840 00 | 1,202 57 |
| 3, " | 1,000 00 | 764 42 |
| 4, " | 257 00 | 357 00 |
| 5, " | 225 00 | 284 98 |
| 6, Stone Works..... | 81 25 | 470 12 |
| 7, " | 140 00 | 272 88 |
| 8, Dying and Print Works.... | 390 00 | 458 25 |
| 9, Foundry..... | 37 50 | 145 07 |
| 10, Brewery..... | 100 00 | 73 12 |
| 11, Skin Washing..... | 25 50 | 67 71 |

SEWERS AND DRAINS.

The number, size and locality of the sewers, together with the receiving basins and culverts constructed during the year, amounting to thirteen miles and forty-nine hundred and two feet, are particularized in schedule M.

Schedule O exhibits the whole amount of construction done under the direction of the Department for each year since the sewerage was placed under its supervision.

The expenditures for new work, and repairing and cleaning the entire sewerage of the city, now over one hundred and five miles in length, will be found in schedule E. This amount is necessarily increased from year to year, in consequence of the extension of area requiring the attention of the Department.

Schedule I gives the weekly receipts for permits to make connections with sewers, amounting in the aggregate to twenty-nine thousand three hundred and fifty-three dollars, being an excess over the year previous, of one thousand two hundred and twenty dollars and fifty cents.

The total amount received each year for connections with sewers is as follows, viz :

| | |
|----------------------------|---------------------|
| In 1846..... | \$ 4,152 50 |
| " 1847..... | 6,775 00 |
| " 1848..... | 9,455 00 |
| " 1849..... | 12,284 50 |
| " 1850..... | 18,977 00 |
| " 1851..... | 21,835 50 |
| " 1852..... | 28,132 50 |
| " 1853..... | 29,353 00 |
| Exhibiting a total of..... | <u>\$130,965 00</u> |

Schedule F gives the particulars and aggregate of salaries paid during the year.

STATISTICAL TABLES.

The amount paid under this head for the current year will be found in schedule E. The returns made are, however, found nearly useless for the purposes intended, as the premises require a visit from some of the officers of this Department, before a charge, under the ordinances, can be made in such a manner as to insure certainty as to the size of the building, and its location on the Ward Records

in the office. Some of the wards have never made a return; and were it not that the parties interested give the required information at the time of payment, the Department would remain, year after year, in ignorance of the facts of which the interest of the city require an actual and certain record. Parties frequently call at the office for information as to the number of new buildings annually erected in the city, but the information possessed by the office, drawn from the semi-annual returns made them, is so vague and indefinite as to be entirely worthless. A remedy for this difficulty can be proposed, and the Board request the attention of the Common Council to this subject.

This Board would neglect a most grateful duty should it close this record of the year, without properly advertising to the change which has taken place among its members, since its last report.

On the 1st September last, Nicholas Dean, Esq., resigned his office as President Commissioner; of his good name in a community in which he still lives an honored citizen, it seems useless to speak. The public know, and have testified their appreciation of his character by commendation, quiet and unostentatious, but none the less decided. Still it cannot be amiss for those who have been his colleagues and associates, for upward of four years, to add here to the general contribution, that good word which they so well know he deserves, and which they, therefore, cannot refrain from speaking warmly and unreservedly.

As an officer, assiduous and energetic, of enlarged understanding and unimpeachable integrity, he was always

at the post of his duty, and as invariably found equal to its every requirement.

As an associate and colleague, he was frank and judicious, and we bear warm testimony to the harmony insured by the one attribute, and the aid derived from the other, in every phase of our co-ordinate duties.

This tribute to one with whom we have so long been associated in duties of great responsibility and trust, is not only due to him, but to ourselves; and when we say that by his resignation, the public have lost the services of a most valuable officer; we are happy to feel confident that we can do so without any suspicion of disparagement of the gentlemen who has recently taken his seat among us as his successor.*

In conclusion the Board reiterates the language of a former report, that the Department again presents the gratifying result of a surplus under each head of disbursement.

All of which is respectfully submitted,

THEO. R. DE FOREST,
ALFRED W. CRAVEN.

CROTON AQUEDUCT DEPARTMENT, }
January 2d, 1854. }

* Mr. Smith took his seat as President Commissioner, on the 1st December, 1853.

APPENDIX.

SCHEDULE A.

AQUEDUCT CONSTRUCTION.

CR.

| | |
|---|-------------------|
| Balance unexpended from 1852..... | \$ 980 95 |
| Appropriation by Common Council for 1853... | 3,000 00 |
| | <u>\$3,980 95</u> |

DR.

Legal expenses in case of Stephen R.

Clark and others, vs. the Mayor, &c.,

paid Charles O'Connor.....\$1,000 00

" James T. Brady..... 500 00

" Peter B. Sweeny..... 500 00 2,000 00

Balance lapsed in City Treasury.....\$1,980 95

SCHEDULE B.

AQUEDUCT REPAIRS AND IMPROVEMENTS.

CR.

Appropriation made by Common Council for

1853.....\$15,000 00

DR.

| | | | | |
|--------------------------------------|----|-------|----|----------------|
| For Blacksmith work..... | \$ | 55 | 28 | |
| “ Cartage..... | | 1,386 | 96 | |
| “ Distributing Reservoir..... | | 1,826 | 54 | |
| “ Fencing..... | | 3,551 | 75 | |
| “ Hardware..... | | 77 | 52 | |
| “ Horse hire..... | | 58 | 12 | |
| “ Iron bridge, Croton Dam..... | | 310 | 64 | |
| “ Labor..... | | 6,192 | 43 | |
| “ Lime, cement and sand..... | | 97 | 39 | |
| “ Lumber..... | | 93 | 05 | |
| “ Oil..... | | 27 | 56 | |
| “ Paint..... | | 277 | 37 | |
| “ Plumbing..... | | 37 | 11 | |
| “ Powder..... | | 8 | 02 | |
| “ Seed..... | | 7 | 28 | |
| “ Stone and brick..... | | 318 | 70 | |
| “ Sundry bills..... | | 109 | 99 | |
| “ Surveying..... | | 47 | 25 | |
| “ Taxes..... | | 371 | 42 | |
| “ Tools and repairing..... | | 126 | 29 | 14,980 67 |
| Balance lapsed in City Treasury..... | | | | <u>\$19 33</u> |

SCHEDULE C.

CROTON AQUEDUCT WORKS EXTENSION.

CR.

| | | | |
|---|----|---------|---------------------|
| Unexpended balance from 1852..... | \$ | 863 | 26 |
| Appropriation by Common Council for 1853. | | 218,400 | 00 |
| | | | <u>\$219,263 26</u> |

Dr.

| | | | |
|--|---------|-----------------|------------|
| Cartage..... | \$2,399 | 52 | |
| Excavation..... | 6,411 | 25 | |
| Fuel..... | 34 | 00 | |
| Iron castings..... | 681 | 53 | |
| Law expenses, Grand Reservoir.. | 1,497 | 32 | |
| Lead..... | 7,313 | 04 | |
| Mason work..... | 685 | 13 | |
| Miscellaneous bills..... | 29 | 05 | |
| Plans for High Bridge..... | 89 | 75 | |
| Proving press..... | 3,355 | 92 | |
| Stop-cocks..... | 5,576 | 75 | |
| Surveying..... | 680 | 00 | |
| Timber..... | 669 | 08 | |
| Tools and repairing..... | 757 | 87 | |
| Wages..... | 8,561 | 78 | |
| Water pipes..... | 108,077 | 21 | |
| Yarn..... | 252 | 23 | 147,071 43 |
| Balance lapsed in the City Treasury..... | | <u>\$72,191</u> | <u>83</u> |

SCHEDULE D.

WATER PIPES AND LAYING.

CR.

Appropriation by Common Council for 1853. \$112,513 00

DR.

| | | |
|----------------------------------|-------------|--------------|
| Advertising..... | \$ 169 73 | |
| Blasting..... | 291 20 | |
| Brass cocks..... | 2,916 36 | |
| Branches..... | 1,181 92 | |
| Cartage..... | 1,783 77 | |
| Casualties..... | 198 27 | |
| Cleaning up streets..... | 37 00 | |
| Distributing Reservoir..... | 1,002 22 | |
| Engineer's office..... | 252 21 | |
| Excavation..... | 362 60 | |
| Fire hydrants..... | 7,703 00 | |
| Fuel..... | 316 94 | |
| Hydrants and stop-cock boxes.... | 1,559 34 | |
| Lumber..... | 276 05 | |
| Mason work..... | 144 00 | |
| Miscellaneous bills..... | 259 55 | |
| Oil..... | 114 80 | |
| Office expenses..... | 616 99 | |
| Paving, sand, stones, &c..... | 133 63 | |
| Pig lead..... | 3,118 52 | |
| Postage..... | 32 98 | |
| Proving yard..... | 1,074 33 | |
| Receiving Reservoir..... | 376 18 | |
| Carried forward..... | \$23,921 59 | \$112,513 00 |

SCHEDULE D.—(CONTINUED.)

| | | |
|--------------------------------------|-------------|-------------------|
| Brought forward..... | \$23,921 59 | \$112,513 00 |
| Repairing stop-cocks..... | 615 94 | |
| Repairing fire hydrants..... | 387 10 | |
| Repairing fountains | 107 59 | |
| Stationery..... | 921 31 | |
| Stop-cocks..... | 5,249 00 | |
| Small castings..... | 3,019 12 | |
| Tapping pipes..... | 2,231 10 | |
| Tools, and repairing..... | 941 38 | |
| Wages of workmen..... | 31,162 39 | |
| Water pipes..... | 27,522 16 | |
| Water meters..... | 5,821 78 | |
| Wagon hire..... | 594 20 | |
| Yarn..... | 498 05 | 102,992 71 |
| Balance lapsed in City Treasury..... | | <u>\$9,520 29</u> |

SCHEDULE E. ---

SEWERS, REPAIRING AND CLEANING.

CR.

| | |
|---|---|
| Appropriation by Common Council, for 1853.. | \$14,000 00 |
| Do. for sluices and basins on South street..... | 2,500 00 |
| | <hr style="width: 10%; margin-left: auto; margin-right: 0;"/> \$16,500 00 |

DR.

| | | |
|--|------------|-----------|
| Basins and sluices, South street.... | \$ 728 00 | |
| Cartage..... | 99 78 | |
| Casualties..... | 251 91 | |
| Iron man-hole and culvert covers... | 1,410 53 | |
| Oil.. .. | 115 73 | |
| Repairing basins | 1,136 57 | |
| “ man holes..... | 1,105 00 | |
| “ sewers..... | 440 05 | |
| Sewer in 2d av., bet. 23d and 24th st. | 65 00 | |
| Sundry bil's..... | 128 33 | |
| Tools, and repairing..... | 191 47 | |
| Ventilators..... | 15 32 | |
| Workmen's wages..... | 8,574 36 | 14,262 05 |
| Balance lapsed in City Treasury..... | \$2,237 95 | |

SCHEDULE F.

SALARIES.

| | | |
|--|-------------|-------------|
| Received from Comptroller, on warrants..... | \$24,539 66 | |
| Paid *Nicholas Dean, President.... | \$1,333 33 | |
| " Elias L. Smith, " | 166 67 | |
| " Theo. R. De Forest, Commis'r. | 2,000 00 | |
| " Alfred W. Craven, Engineer.. | 2,000 00 | |
| " Robert B. Gorsuch, Assistant Engineer..... | 1,500 00 | |
| " J. P. Flender, Water Purveyor. | 1,500 00 | |
| " Revo C. Hance, Water Regis'r. | 1,500 00 | |
| " Henry L. Robertson, Clerk to President..... | 1,000 00 | |
| " William Fardon, Assist. Water Register..... | 1,000 00 | |
| " Alexander F. Dodge, Sewer Contract Clerk..... | 1,000 00 | |
| " John M. Morenus, Clerk to Re- gister..... | 600 00 | |
| " *William V. Lecount, Clerk to Register..... | 300 00 | |
| " Jacob E. Howard, Clerk to Register..... | 300 00 | |
| " Edmund E. Dean, Clerk to Department..... | 600 00 | |
| Carried forward..... | \$14,800 00 | \$24,539 66 |

* Not now in the service of the Department.

SCHEDULE F.—(CONTINUED.)

| | | |
|---|-------------|-------------|
| Brought forward..... | \$14,800 00 | \$24,539 66 |
| Paid Gilbert H. White, Clerk to Department..... | 600 00 | |
| " Seymour V. Moody, Clerk to Department..... | 600 00 | |
| " T. Hook, Clerk to Department | 600 00 | |
| " John J. Concklin, Messenger.. | 500 00 | |
| " *John W. Tryon, Messenger in Engineer's office..... | 60 00 | |
| " Alexander Thompson, Messen- ger in Engineer's office..... | 104 00 | |
| " James Gulick, Superintendent Proving Yard..... | 626 00 | |
| " Dan'l Adamson, Superintendent Croton Dam..... | 600 00 | |
| " James Scott, Sup't Sing Sing.. | 548 00 | |
| " Barney See, " Tarrytown. | 470 00 | |
| " Jas. Bremner, " Dobb's Ferry | 470 00 | |
| " Jas. Berwick, " Yonkers.... | 470 00 | |
| " J. L. Berrian, " Fordham... | 470 00 | |
| " Jacob Moore, " High Bridge | 470 00 | |
| " John Geary, " Rec'ing Res. | 730 00 | |
| " Benj. G. Roe, " Dist'ng Res. | 730 00 | |
| " *Nicholas Dean, as Accountant, two years and one month.... | 1,458 33 | |
| " Theodore R. De Forest, as Ac- countant for four mos..... | * 233 33 | \$24,539 66 |

* Not now in the service of the Department.

SCHEDULE G.

STATISTICAL TABLES.

CR.

| | |
|--|-------------------|
| Unexpended balance from 1852..... | \$346 16 |
| Appropriation by Common Council for 1853.. | 1,500 00 . |
| | <u>\$1,846 16</u> |

DR.

| | | |
|---|-------------------|--------|
| Paid for returns of new buildings, Cap- tain Third Ward Police.... | \$24 25 | |
| " Seventh " | 12 75 | |
| " Ninth " | 27 50 | |
| " Tenth " | 18 75 | |
| " Eleventh " | 30 25 | |
| " Thirteenth " | 16 75 | |
| " Fourteenth " | 20 25 | |
| " Sixteenth " | 80 25 | |
| " Seventeenth " | 44 50 | |
| " Eighteenth " | 243 00 | |
| " Twentieth " | 226 75 | 745 00 |
| Balance in hands of President Croton Aqueduct Department..... | <u>\$1,101 16</u> | |

SCHEDULE H.

SHOWING THE WEEKLY RECEIPTS FOR WATER RATES.

| | | | |
|-----------------|--------------|----------------|--------------|
| 1853. | | Bro't forward. | \$192,577 24 |
| Jan. 6..... | \$ 8,886 73 | July 7..... | 14,033 89 |
| " 13..... | 2,973 58 | " 14..... | 26,252 09 |
| " 20..... | 1,549 00 | " 21..... | 33,828 81 |
| " 27..... | 1,535 52 | " 28..... | 58,762 04 |
| Feb. 3..... | 1,788 46 | Aug. 4..... | 67,983 44 |
| " 10..... | 2,484 72 | " 11..... | 7,140 93 |
| " 17..... | 2,314 17 | " 18..... | 4,727 76 |
| " 24..... | 2,623 07 | " 25..... | 6,106 28 |
| March 3..... | 2,634 86 | Sept. 1..... | 7,030 86 |
| " 10..... | 2,602 82 | " 8..... | 7,752 74 |
| " 17..... | 2,016 63 | " 15..... | 10,769 01 |
| " 24..... | 3,069 44 | " 22..... | 9,718 01 |
| " 31..... | 3,225 65 | " 29..... | 8,971 30 |
| April 7..... | 3,280 94 | Oct. 6..... | 9,562 26 |
| " 14..... | 3,036 97 | " 13..... | 8,297 45 |
| " 21..... | 2,457 11 | " 20..... | 7,190 99 |
| " 28..... | 2,603 10 | " 27..... | 11,107 57 |
| May 5..... | 11,723 63 | Nov. 3..... | 24,554 34 |
| " 12..... | 16,195 17 | " 10..... | 3,566 37 |
| " 19..... | 15,703 60 | " 17..... | 3,533 23 |
| " 26..... | 17,961 71 | " 25..... | 8,511 02 |
| June 2..... | 20,888 59 | Dec. 1..... | 6,113 22 |
| " 9..... | 16,866 49 | " 8..... | 7,366 10 |
| " 16..... | 17,869 06 | " 15..... | 12,756 54 |
| " 23..... | 13,449 89 | " 22..... | 6,984 51 |
| " 30..... | 12,836 33 | " 29..... | 3,816 79 |
| Carried forw'd. | \$192,577 24 | Total..... | \$569,014 79 |

SCHEDULE I.

SHOWING THE WEEKLY RECEIPTS FOR INTEREST ON UNPAID
WATER RATES.

| | | | |
|------------------|------------|------------------|--------------------|
| 1853. | | Brought forward. | \$4,371 16 |
| Jan. 6..... | \$1,045 36 | July 7..... | 42 95 |
| " 13..... | 260 20 | " 14..... | 39 15 |
| " 20..... | 174 90 | " 21..... | 23 40 |
| " 27..... | 105 90 | " 28..... | 42 30 |
| Feb. 3..... | 151 30 | Aug. 4..... | 261 01 |
| " 10..... | 181 35 | " 11..... | 247 95 |
| " 17..... | 196 55 | " 18..... | 188 40 |
| " 24..... | 168 70 | " 25..... | 143 48 |
| March 3..... | 161 15 | Sept. 1..... | 196 60 |
| " 10..... | 173 15 | " 8..... | 143 62 |
| " 17..... | 116 10 | " 15..... | 166 97 |
| " 24..... | 193 65 | " 22..... | 247 75 |
| " 31..... | 154 80 | " 29..... | 242 02 |
| April 7..... | 117 55 | Oct. 6..... | 283 54 |
| " 11..... | 153 55 | " 13..... | 232 47 |
| " 21..... | 127 35 | " 20..... | 186 32 |
| " 28..... | 156 75 | " 27..... | 375 37 |
| May 5..... | 232 10 | Nov. 3..... | 974 52 |
| " 12..... | 73 45 | " 10..... | 290 90 |
| " 19..... | 76 70 | " 17..... | 243 20 |
| " 26..... | 97 50 | " 25..... | 377 55 |
| June 2..... | 89 15 | Dec. 1..... | 369 53 |
| " 9..... | 51 90 | " 8..... | 357 20 |
| " 16..... | 40 20 | " 15..... | 461 35 |
| " 23..... | 22 80 | " 22..... | 239 95 |
| " 30..... | 49 05 | " 29..... | 200 85 |
| Carried forward. | \$4,371 16 | | <u>\$10,949 51</u> |

SCHEDULE J.

SHOWING THE WEEKLY RECEIPTS FOR PERMITS TO CON-
NECT WITH PUBLIC SEWERS.

| | | | |
|-----------------|--------------|-----------------|--------------------|
| 1853, | | Brought forward | \$13,502 50 |
| Jan. 6..... | \$ 330 00 | July 7..... | 673 00 |
| " 13..... | 350 00 | " 14..... | 420 00 |
| " 20..... | 120 00 | " 21..... | 540 00 |
| " 27..... | 220 00 | " 28..... | 530 00 |
| Feb. 3..... | 100 00 | Aug. 4..... | 815 00 |
| " 10..... | 290 00 | " 11..... | 780 00 |
| " 17..... | 302 00 | " 18..... | 330 00 |
| " 24..... | 290 00 | " 25..... | 828 00 |
| March 3..... | 330 00 | Sept. 1..... | 768 00 |
| " 10..... | 360 00 | " 8..... | 782 00 |
| " 17..... | 686 00 | " 15..... | 384 00 |
| " 24..... | 779 50 | " 22..... | 430 00 |
| " 31..... | 540 00 | Sept. 29..... | 672 00 |
| April 7..... | 795 00 | Oct. 6..... | 817 00 |
| " 14..... | 610 00 | " 13..... | 523 50 |
| " 21..... | 595 00 | " 20..... | 610 00 |
| " 28..... | 705 00 | " 27..... | 486 00 |
| May 5..... | 635 00 | Nov. 8..... | 950 00 |
| " 12..... | 680 00 | " 10..... | 505 00 |
| " 19..... | 810 00 | " 17..... | 856 00 |
| " 26..... | 630 00 | " 25..... | 755 00 |
| June 2..... | 750 00 | Dec. 1..... | 410 00 |
| " 9..... | 740 00 | " 8..... | 620 00 |
| " 16..... | 665 00 | " 15..... | 610 00 |
| " 23..... | 720 00 | " 22..... | 576 00 |
| " 30..... | 470 00 | " 29..... | 180 00 |
| Carried forward | \$ 13,502 50 | Total..... | <u>\$29,353 00</u> |

SCHEDULE K.

SHOWING THE WEEKLY PAYMENTS INTO THE CITY TREASURY,
AS PER RECEIPTS OF F. W. EDMONDS, ESQ., CITY CHAM-
BERLAIN.

| | | | |
|----------------|--------------|-----------------|---------------------|
| 1853. | | Bro't forward.. | \$225,753 64 |
| Jan. 6..... | \$ 10,262 09 | " 14..... | 26,711 24 |
| " 13..... | 3,583 78 | " 21..... | 34,392 21 |
| " 20..... | 1,843 90 | " 28..... | 59,334 34 |
| " 27..... | 1,861 42 | Aug. 4..... | 69,059 55 |
| Feb. 3..... | 2,039 76 | " 11..... | 8,168 88 |
| " 10..... | 2,956 07 | " 18..... | 5,246 16 |
| " 17..... | 2,812 72 | " 26..... | 7,077 76 |
| " 24..... | 3,081 77 | Sept. 1..... | 8,037 12 |
| M'ch 3..... | 3,126 01 | " 8..... | 8,678 36 |
| " 10..... | 3,135 97 | " 15..... | 11,319 98 |
| " 17..... | 2,818 73 | " 22..... | 10,395 76 |
| " 24..... | 4,042 59 | " 29..... | 9,885 32 |
| " 31..... | 3,920 45 | Oct. 6..... | 10,662 80 |
| April 7..... | 4,193 49 | " 13..... | 9,053 42 |
| " 14..... | 3,800 52 | " 20..... | 7,987 31 |
| " 21..... | 3,179 46 | " 27..... | 11,968 94 |
| " 28..... | 3,464 85 | Nov. 3..... | 26,478 86 |
| May 5..... | 12,590 73 | " 10..... | 4,362 27 |
| " 12..... | 16,948 62 | " 17..... | 4,632 43 |
| " 19..... | 16,590 30 | " 25..... | 9,643 57 |
| " 26..... | 18,689 21 | Dec. 1..... | 6,892 75 |
| June 2..... | 21,727 74 | " 3..... | 253 41 |
| " 9..... | 17,658 39 | " 8..... | 8,343 30 |
| " 16..... | 18,574 26 | " 15..... | 13,827 89 |
| " 23..... | 14,192 69 | " 22..... | 7,800 46 |
| " 30..... | 13,355 38 | " 29..... | 4,197 54 |
| July 7... .. | 15,302 74 | Total..... | <u>\$610,165 27</u> |
| Car'ed forward | \$225,753 64 | | |

SCHEDULE L.

REPORT OF THE WATER PURVEYOR.

BEING AN ABSTRACT OF THE SEVERAL LINES OF WATER PIPES
LAID, UNDER THE DIRECTION OF THE CROTON AQUEDUCT
DEPARTMENT, FROM JANUARY 1, TO DECEMBER 31, 1853.

SIX INCH.

| STREET. | BETWEEN. | FEET |
|----------------------|--------------------------------|--------|
| Lawrence..... | Broadway and 10th avenue..... | 585 |
| Avenue A..... | 116th and 118th streets..... | 485 |
| Seventh av..... | 45th and 46th streets..... | 270 |
| Ninth avenue..... | 49th and 51st streets..... | 477 |
| Tenth avenue..... | 39th and 42d streets..... | 675 |
| Lexington av..... | 28th and 29th streets..... | 235 |
| Lexington av..... | 33d and 35th streets..... | 575 |
| Fourteenth..... | Avenue B, east..... | 515 |
| Fifteenth..... | Avenue B, west..... | 108 |
| Nineteenth..... | 1st avenue and Avenue A..... | 713 |
| Thirtieth..... | 1st and Second avenues..... | 804 |
| Thirtieth..... | 9th avenue, west..... | 425 |
| Thirty-second..... | 8th and 9th avenues..... | 800 |
| Thirty-second..... | 10th avenue, west..... | 325 |
| Thirty-third..... | 2d and 3d avenues..... | 475 |
| Thirty-third..... | 10th avenue, east..... | 570 |
| Thirty-fourth..... | 2d avenue and East river..... | 833 |
| Thirty-fourth..... | 8th and 9th avenues..... | 808 |
| Thirty-fifth..... | Lexington and 4th avenues..... | 435 |
| Thirty-fifth..... | 8th and 9th avenues..... | 575 |
| Thirty-sixth..... | 2d avenue, east..... | 285 |
| Carried forward..... | | 10,973 |

SCHEDULE L.—(CONTINUED.)

| STREET. | BETWEEN. | FEET. |
|-----------------|--------------------------|---------------|
| Brought forward | | 10,973 |
| Thirty-ninth | 6th and 9th avenues | 2,295 |
| Fortieth | 5th and 6th avenues | 910 |
| Forty-first | Madison and 4th avenues | 455 |
| Forty-second | 5th and 6th avenues | 895 |
| Forty-third | 5th and 7th avenues | 1,792 |
| Forty-sixth | 6th and 7th avenues | 745 |
| Forty-seventh | 8th avenue, east | 285 |
| Forty-seventh | 9th avenue, east | 400 |
| Forty-seventh | 9th avenue, west | 406 |
| Forty-seventh | 11th avenue, east | 700 |
| Forty-seventh | 11th and 12th avenues | 530 |
| Forty-ninth | Lexington and 3d avenues | 380 |
| Forty-ninth | Broadway and 7th avenues | 215 |
| Forty-ninth | 8th and 9th avenues | 850 |
| Fiftieth | Broadway and 8th avenue | 205 |
| Fifty-first | 9th and 10th avenues | 865 |
| Fifty-third | 2d avenue and East river | 550 |
| Fifty-fourth | Broadway and 7th avenue | 240 |
| Seventy-third | 3d avenue, west | 470 |
| | | <u>24,161</u> |

TWELVE INCH.

| | NO. FEET. |
|--------------|-------------------------------------|
| Sixth avenue | 46th and Forty-seventh streets. 235 |
| Forty-eighth | 6th and 7th avenues 61 |
| Forty-eighth | 8th avenue and Broadway 700 |
| | <u>996</u> |

SCHEDULE L.—(CONTINUED.)

THIRTY INCH.

| STREET. | BETWEEN. | NO. FEET. |
|-------------------|---------------------------|-----------|
| Forty-second..... | 5th and 11th avenues..... | 5,125 |

RECAPITULATION.

| | |
|-------------------|-----------------|
| Six Inch..... | 24,161 feet. |
| Twelve Inch..... | 996 " |
| Thirty Inch..... | 5,125 " |
| Total length..... | <u>30,282</u> " |

Or five miles, three thousand eight hundred and eighty-two feet.

JOHN P. FLENDER,
Water Purveyor.

SCHEDULE M.

REPORT OF THE WATER PURVEYOR,

BEING AN ABSTRACT OF ALL SEWERS CONTRACTED FOR BY
THE CROTON AQUEDUCT DEPARTMENT, FROM JANUARY 1ST
TO DECEMBER 31ST, 1853, WITH THEIR RESPECTIVE SIZES,
LENGTH, AND LOCALITIES, AND THE NUMBER OF RECEIVING
BASINS AND CULVERTS TO EACH.

| STREET. | BETWEEN. | SIZE. | LENGTH IN FEET. | BASINS & CULVERTS. |
|--------------|---------------------------|----------------|--------------------|-----------------------|
| 26th..... | Fourth & Madison avs.. | 4 × 2 ft 8 in. | 407 | |
| 42d..... | Third & Lexington " | | | |
| Lexing'n av | 38th and 42d streets.. | | | |
| 39th..... | Lexington and 4th av } | 4 × 3 ft. | 2507 | 7 |
| 40th..... | " " | | | |
| 41st..... | " " | | | |
| 4th avenue. | 24th and 26th streets.. | 4 × 2 ft 8 in. | 426 | 1 |
| Greenwich. | Vandam and Charlton.. | " " | 265 | |
| Wooster... | Canal and Houston.... | 4 3 feet. | 2524 | 11 |
| 18th..... | Seventh and Ninth avs.. | 4 × 2 ft 8 in. | 1780 | 4 |
| Elizabeth.. | No. 226 to Houston.... | " " | 320 | |
| 38th..... | 2d av. 84 ft. east 3d av. | " " | 582 | |
| Bayard.... | Orange and Bowery.... | " " | 905 | 5 |
| Avenue A.. | 14th and 16th streets... | " " | 503 | 2 |
| Broome ... | Columbia and Eldridge. | " " | 3100 | 24 |
| 3d avenue.. | South-east corner 22d st. | ..... | ..... | 1 |
| 7th " .. | 56th and 54th st..... } | " " | | |
| 54th..... | Seventh av. & Bowery } | " " | 800 | 4 |
| Christopher | Greenwich av. & N. R.. | " " | 3020 | 15 |
| 48th..... | 12th and 11th avs. | " " | 750 | |
| Pearl..... | Ferry and Frankfort... | " " | 475 | |
| Thompson . | Bleecker and Broome } | 4 × 3 ft. | | |
| Spring..... | Thompson & Greene. } | 4 × 2 ft 8 in. | 3069 | 10 |
| Prince. | Thompson and Greene } | " " | | |

SCHEDULE M.—(CONTINUED.)

| STREET. | BETWEEN. | SIZE. | LENGTH IN FEET. | BASINS & CULVERTS. |
|--------------|-------------------------------|----------------|--------------------|-----------------------|
| 39th | Eighth and Ninth avs.. | 4 × 2 ft 8 in. | 900 | |
| Madison ... | Rutgers and Jefferson.. | " " | 375 | 1 |
| Mulberry .. | Grand and Hester..... | " " | 390 | |
| 14th | Westerly corners 1st av. | | | 2 |
| 46th | Fifth and Seventh avs.. | " " | 1850 | 4 |
| Hester ... | Essex and Eldridge.... | " " | 910 | 8 |
| 37th | Seventh av. and 75 ft. E. | " " | 255 | 2 |
| Sullivan.... | Grand and Broome.. } | " " | 830 | 4 |
| Broome.... | Sullivan and Varick.. } | " " | | |
| 15th | Avenues A and C..... | " " | 1382 | 2 |
| 49th | Second av. & East R. } | | | |
| Second av.. | 49th and 53d streets.. } | 9 × 8 ft 6 in. | 3800 | 27 |
| 53d | Second and Third avs. } | | | |
| Third av... | 53d and 56th streets.. } | | | |
| 39th | Ninth and Tenth avs... | 4 × 2 ft 8 in. | 770 | |
| 49th | Sixth and Seventh avs.. | " " | 950 | 2 |
| 32d | Eighth and Ninth avs.. | " " | 650 | |
| 54th | Third and Fourth avs.. | " " | 910 | 2 |
| Leroy | Hudson st. and river... | " " | 915 | 6 |
| Laurens.... | Bleecker and Amity.... | " " | 440 | |
| 32d | Madison and Fourth avs. | " " | 350 | |
| 46th | Twelfth and Eleventh " | 4 × 3 ft. | 660 | 2 |
| 38th | Ninth and Tenth avs... | 4 × 2 ft 8 in. | 905 | |
| 37th | Madison and Fourth avs | " " | 395 | |
| 35th | Ninth and Tenth avs... | " " | 730 | |
| 15th | First and Second avs... | " " | 315 | |
| Hammond.. | Greenwich av. and N. R. | " " | 2545 | 15 |
| 118th | Third av. and Harlem R. | " " | 2850 | 10 |
| Third av... | 49th and 53d street..... | 5 × 3 ft 4 in. | 1030 | 5 |
| 44th | Third and Sixth avs.. } | 4 × 2 ft 8 in. | 3314 | 10 |
| Third av... | 42d and 44th streets.. } | 5 × 4 ft. | | |

SCHEDULE M.—(CONTINUED.)

| STREET. | BETWEEN. | SIZE. | LENGTH IN FEET. | BASINS & CULVERTS. |
|--------------|---------------------------|-----------------------------|--------------------|-----------------------|
| Bowery | Broome and Rivington. | 4 × 2 ft 8 in. | 793 | 1 |
| 19th | Avenue A and First av. | " " | 670 | |
| Madison av. | 37th and 38th sts..... | " " | 220 | |
| 38th | Fifth av. and 320 ft. E.. | " " | 520 | 2 |
| 18th | Hudson r. and Tenth av. | 5 × 4 feet. | 770 | 2 |
| 26th | Third and Lexington av. | 4 × 2 ft 8 in. | 438 | |
| Dover..... | Franklin sq. and East r. | " " | 685 | 6 |
| Avenue C.. | 13th and 14th sts.... | 6 × 7 feet. double sew'r | 1470 | 10 |
| 14th | Avenue C and East r. | | | |
| 41st..... | Third and Lexing'n avs. | 4 × 2 ft 8 in. | 377 | |
| 35th | East r. and Second av.. | " " | 730 | 2 |
| 26th | Ninth and Tenth avs... | " " | 530 | |
| Third av... | 26th and 27th sts..... | " " | 279 | 1 |
| Fulton..... | West st. & new bulkh'd. | 4 ft. square. | 475 | |
| Leonard.... | B'dway and W. B'dway. | 4 × 2 ft 8 in. | 690 | 2 |
| Seventh av. | 13th and 14th sts..... | " " | 217 | |
| Mercer..... | Bleecker and Amity.... | " " | 495 | 1 |
| First st.... | Avenue A and Bowery } | " " | 2127 | 4 |
| Bowery..... | First and Second sts.. } | " " | | |
| 50th | 8th av. and 350 ft. east. | " " | 414 | |
| Gansevoort. | Fourth st. and Hudson r | " " | 1606 | 10 |
| Prince | Thompson & Macdougall. | " " | 483 | 3 |
| Cherry | Franklin sq. & Roosevelt | " " | 350 | 1 |
| Sixth st.... | First and Second avs... | " " | 605 | |
| 35th st.... | Lexington & Fourth avs. | " " | 366 | |
| Madison.... | No. 175 to Rutgers st.. | " " | 400 | 1 |
| Amos | Fourth st. and Hudson r. | " " | 2060 | 10 |
| Mott | Pell and Walker..... | " " | 688 | 2 |
| Mott | Chatham and Pell..... | " " | 531 | 1 |
| Greenwich.. | Cortlandt and Liberty.. | " " | 170 | 2 |
| Ridge | Houston and Stanton... | " " | 381 | |
| 45th | Eighth and Sixth avs... | " " | 1750 | 2 |

SCHEDULE M.—(CONTINUED.)

| STREET. | BETWEEN | SIZE. | LENGTH IN FEET. | BASINS & CULVERTS. |
|------------|----------------------------|----------------|--------------------|-----------------------|
| Fifth..... | Av. A & 50 ft w. First av. | 4 × 2 ft 8 in. | 763 | 2 |
| Fourth... | Troy and Jane sts..... | " " | 160 | 1 |
| Elizabeth. | Bleecker and Houston.. | " " | 340 | 1 |
| Wash'ton. | Charlton and Spring... | " " | 480 | |
| Mercer .. | Spring and Prince..... | " " | 440 | 1 |
| 14th..... | Corner Avenue B..... | ..... |  | 1 |
| Eighth... | Avenues C and D... .. | " " | 292 | |
| Third av.. | South-east cor. 21st st... | ..... |  | 1 |
| Battery pl | Washington and West.. | 4 ft. square. | 270 | |
| Total.... | | | <u>73,389</u> | <u>256</u> |

BUILT AT PRIVATE EXPENSE.

Cortlandt alley, Franklin street, northerly 153 feet.

RECAPITULATION.

| | |
|-------------------------------|-----------------|
| Sewers built by contract..... | 73,389 feet. |
| " " private expense..... | 153 " |
| Total..... | <u>73,542</u> " |

Or thirteen miles, four thousand nine hundred and two feet.

| | |
|----------------------------------|--------------|
| Number of Receiving Basins..... | 256 |
| Length of Culverts, in feet..... | <u>6,400</u> |

JOHN P. FLENDER,

Water Purveyor.

SCHEDULE N.

PIPE OF ALL SIZES FOR THE SUPPLY AND DISTRIBUTION OF CROTON WATER TO THE CITY OF NEW YORK.

TO JANUARY 1, 1854.

| | 48 | 36 | 30 | 24 | 20 | 16 | 12 | 10 | 6 | 4 | Totals. |
|--------------------------------|-------|--------|--------|-------|--------|--------|---------|-------|---------|-------|--|
| Previous to July, 1849..... | ..... | 60,383 | 25,796 | 5,400 | 20,275 | 13,125 | 223,140 | 5,875 | 668,107 | ..... | 1,024,051 feet, or 193 miles 5,011 feet. |
| July to December, 1849..... | ..... | ..... | ..... | ..... | ..... | 953 | 2,430 | ..... | 9,402 | 7,451 | 20,236 " 3 " 4,396 " |
| January to December, 1850..... | ..... | 545 | 2,040 | ..... | 4,800 | ..... | 2,375 | ..... | 30,539 | 969 | 41,328 " 7 " 4,368 " |
| " " 1851..... | ..... | ..... | ..... | ..... | 2,720 | ..... | 18,739 | ..... | 42,817 | 923 | 65,199 " 12 " 1,839 " |
| " " 1852..... | ..... | ..... | ..... | ..... | 3,650 | ..... | 12,171 | ..... | 47,714 | ..... | 63,535 " 12 " 174 " |
| " " 1853..... | 3,500 | ..... | 5,125 | ..... | ..... | ..... | 996 | ..... | 24,161 | ..... | 33,782 " 6 " 2,702 " |
| | 3,500 | 60,878 | 32,961 | 5,400 | 31,505 | 14,078 | 261,851 | 5,875 | 822,749 | 9,343 | 1,248,131 feet, or 236 miles 2,051 feet. |

The present Department was organized in July, 1849. The first line in the table gives the quantity in use at that time; the others, the quantity laid in each year since. The figures at the head of the columns indicate the internal diameter of the pipe, in inches.

SCHEDULE O.

SEWERS

CONSTRUCTED BY ORDINANCE OF THE COMMON COUNCIL,
UNDER THE DIRECTION OF THE CROTON AQUEDUCT DE-
PARTMENT.

| | | |
|-------|-------------------------------|--------|
| 1849. | Number of Sewers..... | 25 |
| | " Basins and Culverts..... | 58 |
| | Lineal length in feet..... | 16,165 |
| 1850. | Number of Sewers..... | 70 |
| | " Basins and Culverts..... | 173 |
| | Lineal length in feet..... | 61,579 |
| 1851. | Number of Sewers..... | 105 |
| | " Basins and Culverts..... | 157 |
| | Lineal length in feet..... | 63,009 |
| 1852. | Number of Sewers..... | 100 |
| | " Basins and Culverts..... | 197 |
| | Lineal length in feet..... | 65,689 |
| 1853. | Number of Sewers..... | 85 |
| | " Basins and Culverts..... | 256 |
| | Lineal length in feet..... | 73,542 |

Total, 53 miles 144 feet ; in which is included over one mile constructed, under the direction of the Department, at the expense of the parties applying.

SCHEDULE P.

GENERAL RECAPITULATION.

| HEADS OF ACCOUNT. | APPROPRIATION. | EXPENDED. | UNEXPENDED. |
|-------------------------------------|----------------|--------------|-------------|
| Aqueduct Construction..... | \$3,980 95 | 2,000 00 | 1,980 95 |
| “ Repairs and improvements..... | 15,000 00 | 14,980 67 | 19 33 |
| Croton Water Works extension..... | 219,263 26 | 147,071 43 | 72,191 83 |
| Water pipes and laying..... | 122,513 00 | 102,992 71 | 9,520 29 |
| Sewers, repairing and cleaning..... | 16,500 00 | 14,262 05 | 2,237 95 |
| Salaries..... | 25,000 00 | 24,539 66 | 460 34 |
| Statistical tables..... | 1,846 16 | 745 00 | 1,101 16 |
| Totals..... | \$394,103 37 | \$306,591 52 | \$87,511 85 |

DOCUMENT No. 3.

BOARD OF ALDERMEN,

JANUARY 3, 1854.

The following Annual Report of the Public Administrator was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

To the Common Council of the city of New York:

The Public Administrator in the City of New York, in compliance with the requisitions of the Revised Statutes of the State of New York, hereby submits a statement of the Receipts and Expenditures of his office, from the first day of January, 1853, to the first day of January, 1854, including the balances in his hands, standing to the credit of the several estates, on the books of his office.

| Estates taken charge of by the Public Administrator, or his predecessors, and which have been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commiss. charged on such est's. | Total am. of expend'ts, includ- commiss. expen- debts, distrib't's and bal. pd. in- to city treas'y. | | BALANCES. |
|--|-----------------|---------------------------|--|---------------------------------|--|----|-----------|
| | | | | | | | |
| Aaron Burr..... | Lawyer..... | New York..... | ..... | ..... | 80 | 16 | |
| Barney Baldwin..... | Contractor..... | do..... | 226 60 | 11 33 | 250 | 99 | |
| Bernard Marren..... | Collector..... | do..... | 602 93 | 30 15 | 975 | 50 | |
| Letitia J. Herbert..... | Spinster..... | New Jersey..... | ..... | ..... | 14 | 47 | |
| Bernard H. Klonne..... | Accountant..... | Florida..... | 1806 00 | 90 30 | 1906 | 51 | |
| Maurice Doyle..... | Gentleman..... | Illinois..... | 16 10 | 80 | 1656 | 42 | 14 15 |
| John Miller..... | Grocer..... | New York..... | ..... | ..... | 48 | 10 | |
| Henry Huber..... | Unknown..... | California..... | 6898 15 | 176 67 | 8794 | 51 | |
| Robert Young..... | do..... | New York..... | ..... | ..... | 128 | 16 | |
| Thomas McGowan..... | Laborer..... | do..... | ..... | ..... | 7 | 10 | |
| George Duggan..... | Surveyor..... | do..... | ..... | ..... | 8 | 48 | |
| John Wells..... | Unknown..... | Unknown..... | ..... | ..... | 141 | 13 | |
| John M. Connell..... | do..... | Liverpool..... | ..... | ..... | 5 | 00 | |
| James Hunt, or Kent..... | do..... | do..... | ..... | ..... | 210 | 07 | |
| Peter Caffray..... | do..... | do..... | ..... | ..... | 72 | 31 | |
| Henry Helkme..... | do..... | do..... | ..... | ..... | 281 | 17 | |
| George Elton..... | do..... | New York..... | ..... | ..... | 26 | 98 | |
| Bridget Lonergan..... | do..... | do..... | 118 54 | 5 92 | 179 | 19 | |
| Mary Sweeny..... | Single..... | do..... | ..... | ..... | 52 | 04 | |
| Christopher Noonney..... | Seaman..... | California..... | ..... | ..... | 1152 | 08 | |
| William Anderson..... | Florist..... | New York..... | 1 51 | ..... | 22 | 00 | |
| Frederick Pecker..... | Laborer..... | Chagres..... | ..... | ..... | 57 | 28 | |

| | | | | | |
|-----------------------------|--------------------|----------------------|---------|--------|---------|
| James Hazelden..... | Piano maker..... | England..... | ..... | ..... | 95 49 |
| Charles Mathews..... | Junk dealer..... | New York..... | ..... | ..... | 290 18 |
| Carl Oberdeck..... | Unknown..... |do..... | ..... | ..... | 194 90 |
| Reinhardt Soffleburgh..... | Seaman..... | Salem..... | ..... | ..... | 23 28 |
| Leopold Graffner..... | Tavern keeper..... | New York..... | ..... | ..... | 42 79 |
| Frederick Brandt..... | Waiter..... |do..... | ..... | ..... | 6 54 |
| Hugh Roberts..... | Rigger..... |do..... | ..... | ..... | 5 88 |
| Alois Bahlman..... | Pencil maker..... |do..... | 1367 75 | 68 88 | 1863 12 |
| Charles Weil..... | Trader..... | France..... | ..... | ..... | 87 98 |
| John Barron..... | Silversmith..... | New York..... | 5184 07 | 126 53 | 5376 72 |
| James Ridgway..... | Carpenter..... |do..... | 2559 84 | 63 98 | 2041 73 |
| James Matheson..... | ..... | ....do..... | ..... | ..... | 279 92 |
| James Scrymgeour..... | Silversmith..... |do..... | 657 97 | 9 89 | 6871 49 |
| John B. Meugy..... | Merchant..... | South Carolina..... | ..... | ..... | 341 23 |
| Daniel Lynch..... | Grocer..... | New York..... | ..... | ..... | 64 41 |
| Elam Bliss..... | Clerk..... |do..... | 50 00 | 2 50 | 11 00 |
| Elizabeth Colden..... | Colored..... |do..... | 321 00 | 16 05 | 335 53 |
| Charles Davis..... | Junk dealer..... |do..... | ..... | ..... | 90 21 |
| Frederick C. Muthreich..... | Tanner..... | Pittsburgh..... | ..... | ..... | 85 95 |
| Gordon Watt..... | Gentleman..... | Canada..... | ..... | ..... | 10 00 |
| Eugene Groussset..... | Merchant..... | New York..... | ..... | ..... | 3 00 |
| George O. Lamson..... |do..... | Central America..... | 200 00 | 10 00 | 18 00 |
| John Taylor..... | Ivory worker..... | New York..... | ..... | ..... | 19 94 |
| Reuben Reynolds..... | Unknown..... |do..... | ..... | ..... | 9 97 |
| Edward Graves..... | Varnisher..... |do..... | ..... | ..... | 17 86 |
| Dennis Boyle..... | Contractor..... |do..... | ..... | ..... | 21 87 |
| Sarah Brand..... | Spinster..... |do..... | ..... | ..... | 65 80 |

345 27
9 28

1300 16

96 50

6556 37
88 88
1172 85

| Estate taken charge of by the Public Administrator, or his predecessors, and which have been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commis. charge'd on each est's. | Total am. of ex-pend'ts includ-ing commiss' expen-deb, distrib'ts and bal. pd. in-to city treas'y. | BALANCE. |
|---|-----------------|---------------------------|--|---------------------------------|--|----------|
| John E. Day..... | Seaman..... | New York..... | ..... | ..... | 71 99 | 126 37 |
| Jane Parker..... | ..... | do..... | ..... | ..... | 2 00 | 14 86 |
| Bridget Dolan..... | Widow..... | do..... | ..... | ..... | 3 00 | |
| Amelia Keeling..... | do..... | do..... | ..... | ..... | 41 82 | |
| Daniel McCarty..... | Laborer..... | do..... | ..... | ..... | 60 79 | |
| Sarah Miller..... | Colored..... | do..... | ..... | ..... | 66 15 | |
| August J. Wolf..... | Trader..... | Germany..... | ..... | ..... | 2 00 | 10 29 |
| Johanna Deppen..... | Seamstress..... | New York..... | ..... | ..... | 61 13 | |
| Charles Kissam..... | Stevadore..... | do..... | ..... | ..... | 82 38 | |
| John Curley..... | Laborer..... | do..... | ..... | ..... | 13 44 | |
| Catharine Finnerty..... | Widow..... | do..... | ..... | ..... | 108 15 | |
| Edward Finnerty..... | Brass moulder.. | do..... | ..... | ..... | 215 54 | |
| Michael Burke..... | Grocer..... | do..... | ..... | ..... | 212 02 | |
| William Smith..... | Seaman..... | Unknown..... | ..... | ..... | 12 36 | |
| George Guthbert..... | Merchant..... | New York..... | ..... | ..... | 1919 34 | |
| Henry Oliver..... | Laborer..... | do..... | ..... | ..... | 383 63 | |
| Maria Cramer..... | Widow..... | do..... | ..... | ..... | 19 25 | 34 01 |
| John Park..... | Unknown..... | Illinois..... | 13 23 | 66 | 122 93 | |
| Andrew Bazin..... | Importer..... | New York..... | 1603 12 | 40 08 | 5543 86 | 930 48 |
| Samuel C. Hicks..... | Milkman..... | do..... | ..... | ..... | 7 02 | 619 34 |
| Jane Givan..... | Single..... | do..... | ..... | ..... | 5 57 | |

| | | | | | |
|-------------------------|-----------------|------------------|--------|-------|--------|
| Christopher Jones..... | Painter..... | California..... | 108 00 | 5 40 | 311 82 |
| John S. Bendall..... | Merchant..... | New York..... | ..... | ..... | 9 85 |
| Morty O'Sullivan..... | Unknown..... | Ireland..... | ..... | ..... | 4 42 |
| Carl Krell..... |do..... | Germany..... | ..... | ..... | 3 90 |
| Henry Hoff..... | Lithographer... | New York..... | ..... | ..... | 3 00 |
| Sarah Jones..... | Single..... |do..... | ..... | ..... | 7 88 |
| John Jones..... | Seaman..... | Unknown..... | ..... | ..... | 20 12 |
| Eleanor Aubach..... | Unknown..... | Germany..... | ..... | ..... | 90 34 |
| Barbara Kessler..... |do..... | New York..... | ..... | ..... | 23 00 |
| Edward Hingston..... | Grocer..... |do..... | ..... | ..... | 47 30 |
| Thomas Grant..... | Seaman..... | Unknown..... | ..... | ..... | 18 48 |
| John Doggett, jr..... | Publisher..... | New York..... | 6 25 | 31 | 276 98 |
| Conrad Textor..... | Tailor..... |do..... | ..... | ..... | 24 14 |
| Margaret Manwell..... | Widow..... |do..... | ..... | ..... | 41 36 |
| Jonas Nordin..... | Seaman..... | Sweden..... | ..... | ..... | 2 85 |
| John Fliese..... |do..... | Denmark..... | ..... | ..... | 4 10 |
| Johann Engelbrecht..... |do..... | Germany..... | ..... | ..... | 5 50 |
| Mary Corbett..... | Widow..... | New York..... | ..... | ..... | 156 91 |
| Rudolph Meyer..... | Turner..... | Switzerland..... | ..... | ..... | 22 60 |
| William Buckley..... | Laborer..... | New York..... | ..... | ..... | 29 99 |
| William Massey..... | ..... | Liverpool..... | ..... | ..... | 14 02 |
| Ann Carr..... | ..... | New York..... | ..... | ..... | 34 32 |
| Thomas Murray..... | Laborer..... |do..... | ..... | ..... | 53 61 |
| Henry Goupilleau..... | Unknown..... | France..... | ..... | ..... | 436 34 |
| Patrick Kinsey..... | Laborer..... | Unknown..... | ..... | ..... | 154 85 |
| John Maxwell..... |do..... | Scotland..... | ..... | ..... | 2 85 |
| John Brown..... | Engraver..... |do..... | ..... | ..... | 120 50 |

341 55

48 68

21 13

313 08

| Estates taken charge of by the Public Administrator, or his predecessors, and which have been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commiss. charged on such est's. | Total am. of ex-pend't's includ- commiss. expen- ded on, district's and bal. pd. in- to city treas'y. | BALANCES: |
|--|-----------------|---------------------------|--|---------------------------------|---|-----------|
| | | | | | | |
| Bridget Gallagher..... | Widow..... | New Jersey..... | ..... | ..... | 284 91 | |
| Charles Wellman..... | Trader..... | New York..... | ..... | ..... | 9 00 | 150 21 |
| Andrew Steines..... | Seaman..... | Denmark..... | ..... | ..... | 13 30 | |
| Charles Peterson..... |do..... |do..... | ..... | ..... | 6 30 | |
| Daniel Moran..... | Porter..... | New York..... | ..... | ..... | 454 39 | |
| William Thompson..... | Seaman..... | Unknown..... | ..... | ..... | 12 15 | |
| Bernard Sabatier..... | Unknown..... | France..... | ..... | ..... | 26 50 | 2615 91 |
| Benjamin Johnston..... | Seaman..... | New York..... | ..... | ..... | 5 00 | 50 91 |
| Caspar Furstner..... | Tailor..... |do..... | ..... | ..... | 90 63 | |
| Thomas Tenoyer..... | Cabinet maker.. |do..... | ..... | ..... | 1 50 | 4 13 |
| Rebecca Timanus..... | Widow..... |do..... | ..... | ..... | 69 35 | |
| Edward J. Hinkley..... | Seaman..... | England..... | ..... | ..... | 1 86 | |
| Sabina Dogherty..... | Widow..... | New York..... | ..... | ..... | 204 44 | 150 50 |
| Thomas Lee..... | Saddler..... |do..... | ..... | ..... | 1 44 | |
| Mary Smith..... | Widow..... | Louisiana..... | 27 00 | 1 35 | 26 85 | 5 42 |
| John Buchanan..... | Seaman..... | Unknown..... | ..... | ..... | 2 08 | |
| John Burns..... | Trader..... | San Francisco.. | ..... | ..... | 439 39 | |
| John Sullivan..... | Cabinet maker.. | New York..... | ..... | ..... | 11 00 | 140 18 |
| John Delahunty..... | Laborer..... |do..... | ..... | ..... | 237 15 | |
| Patrick Connell..... |do..... |do..... | ..... | ..... | 8 00 | 105 03 |
| Michael Jordan..... | Unknown..... |do..... | ..... | ..... | 7 49 | 34 06 |

| | | | | | |
|-------------------------|---------------------|--------------------|--------|-------|---------|
| Francois L. Ple..... | Trader..... | France..... | ..... | ..... | 167 64 |
| John Moore..... | Unknown..... | New York..... | ..... | ..... | 7 00 |
| William Lynch..... | Grocer..... | do..... | ..... | ..... | 133 90 |
| John W. Butler..... | Surveyor..... | do..... | ..... | ..... | 13 00 |
| Doctor Poysen..... | Physician..... | do..... | ..... | ..... | 50 |
| Charles Fisher..... | Unknown..... | do..... | ..... | ..... | 2 21 |
| James Jones..... | do..... | Wales..... | ..... | ..... | 1 65 |
| Malcolm McKenzie..... | do..... | New York..... | ..... | ..... | 2 60 |
| George Risley..... | Boatman..... | do..... | ..... | ..... | 70 |
| C. Gonzales..... | Unknown..... | Havana..... | ..... | ..... | 2 12 |
| William Little..... | do..... | New York..... | ..... | ..... | 4 00 |
| Charles A. Brown..... | do..... | do..... | ..... | ..... | 63 |
| Catharine McMurray..... | Single..... | do..... | ..... | ..... | 76 |
| Charles Baker..... | Seaman..... | do..... | ..... | ..... | 4 65 |
| Jacob Bonsall..... | Trader..... | California..... | 2 28 | ..... | 1 50 |
| Elizabeth D. Bruce..... | Unknown..... | New York..... | ..... | ..... | 3913 51 |
| Thomas Hackett..... | Seaman..... | England..... | ..... | ..... | 10 50 |
| Catharine Arthur..... | ..... | New York..... | ..... | ..... | 9 44 |
| John Williams..... | Painter..... | Savannah..... | ..... | ..... | 75 50 |
| James Blem..... | Seaman..... | Denmark..... | 251 51 | 12 57 | 1 86 |
| Edward R. Barnes..... | do..... | New York..... | ..... | ..... | 43 42 |
| William Oberdieck..... | Coffee roaster..... | do..... | 440 30 | 22 01 | 9 59 |
| H. C. Saunders..... | Trader..... | California..... | 115 06 | 5 75 | 112 61 |
| William Aviss..... | Seaman..... | Great Britain..... | ..... | ..... | 123 22 |
| | | | | | 3 21 |

20 39
255 3911 95
2 5488 07
56 30
210 63233 59
25 35
345 58

| Estates taken charge of by the Public Administrator, and which have not been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commis. charg'd on such esta. | Total am. of ex- pendt's includ- commis expen- debt, distrib'e and bel. pd. in- to city treas'y. | BALANCES. |
|---|-----------------|---------------------------|--|-------------------------------|--|-----------|
| | | | | | | |
| John Adams..... | Seaman..... | Sandwich Islands | 10 50 | 52 | 5 27 | 5 23 |
| Henry Bosselman..... | Clerk..... | New York..... | 58 10 | 2 90 | 51 55 | 6 59 |
| Christian Blum..... | Unknown..... | Switzerland.... | 902 57 | 45 12 | 84 52 | 818 05 |
| Charles Smith..... | Seaman..... | Unknown..... | 5 79 | 28 | 2 78 | 3 01 |
| Christopher Waldbauer..... | Baker..... | Germany..... | 44 85 | 2 24 | 44 85 | |
| Hiob Waldbauer..... | Miller..... |do..... | 41 35 | 2 06 | 41 35 | |
| Mary Cody..... | Widow..... | Ireland..... | 494 78 | 24 73 | 55 93 | 438 85 |
| Thomas Crossman..... | Seaman..... | New York..... | 62 58 | 3 13 | 39 37 | 23 21 |
| Edward Mosell..... | Unknown..... | Austria..... | 87 53 | 4 23 | 87 53 | |
| John Hoffman..... |do..... | Antwerp..... | 114 76 | 5 73 | 22 13 | 92 63 |
| Mary Barret, or Snooks..... |do..... | England..... | 121 44 | 6 07 | 37 59 | 83 85 |
| William S. Bolton..... | Seaman..... |do..... | 62 79 | 3 15 | 28 87 | 33 92 |
| David Collin..... | Manufacturer... | New York..... | 490 88 | 24 54 | 231 36 | 259 52 |
| Leopold Collin..... |do..... |do..... | 127 25 | 6 36 | 28 46 | 98 79 |
| Celestin Soucie..... | Farmer..... | Canada..... | 318 64 | 13 93 | 318 64 | |
| Philip Campbell..... | Unknown..... | Aspinwall..... | 28 50 | 1 42 | 9 78 | 18 72 |
| Joseph P. Lillis..... | Merchant..... | California..... | 3426 67 | ..... | 3426 67 | |
| Thomas Levy..... | Unknown..... | Liverpool..... | 104 60 | 5 23 | 16 72 | 87 88 |
| Andrew Rivoire..... |do..... | France..... | 1050 70 | 52 53 | 114 28 | 936 42 |
| Evan James..... | Seaman..... | Great Britain... | 23 82 | 1 08 | 23 82 | |
| Dora Maginnis..... | Single..... | New York..... | 289 75 | 14 48 | 151 88 | 137 87 |

| H. C. Dow | | Unknown | | Missouri | | 92 | 12 | 4 | 60 | 92 | 12 | 166 | 64 |
|------------------------|-----------|--------------|-------|----------|-----|----|-----|----|-------|----|----|-----|----|
| Mary Ann Wolff | Single | Ne York | 251 | 20 | 12 | 56 | 84 | 56 | 166 | 64 | | | |
| William Donovan | Tailor | do | 90 | 72 | 4 | 53 | 12 | 77 | 77 | 95 | | | |
| Patrick Riordan | Merchant | California | 5,151 | 21 | 191 | 28 | 312 | 40 | 4,838 | 81 | | | |
| Peter Lawless | Coachman | New York | 564 | 46 | 28 | 22 | 292 | 92 | 271 | 54 | | | |
| Susan Magee | Single | do | 71 | 53 | 3 | 58 | 71 | 53 | | | | | |
| Daphne Myers | Colored | do | 175 | 81 | 8 | 79 | 112 | 37 | 63 | 44 | | | |
| Edmund Pickavance | Seaman | Liverpool | 103 | 00 | 5 | 15 | 25 | 14 | 77 | 86 | | | |
| Edward O'Neil | Laborer | New York | 68 | 21 | 3 | 41 | 68 | 21 | | | | | |
| James C. Jamison | | New Jersey | 695 | 05 | 34 | 75 | 695 | 05 | | | | | |
| Morgan Miles | Surveyor | New York | 43 | 91 | 2 | 19 | 18 | 71 | 25 | 20 | | | |
| James Daley | Unknown | California | 15 | 22 | 76 | | 13 | 35 | 1 | 87 | | | |
| Mathew G. Guinup | Carpenter | Pennsylvania | 95 | 80 | | | 95 | 80 | | | | | |
| Jesse Mason | | New York | 7 | 26 | 36 | | 2 | 86 | 4 | 40 | | | |
| John Keenan | Carpenter | do | 85 | 67 | 4 | 28 | 85 | 67 | | | | | |
| William McLaughlin | Unknown | Navy Bay | 40 | 00 | 2 | 00 | 9 | 64 | 30 | 36 | | | |
| James Donahue | Laborer | Panama | 24 | 75 | 1 | 23 | 7 | 87 | 16 | 88 | | | |
| Elizabeth Martine | Single | New York | 170 | 54 | | | 170 | 54 | | | | | |
| William Keating | Seaman | Nova Scotia | 190 | 00 | | | 190 | 00 | | | | | |
| C. W. Ross | Unknown | Unknown | 4 | 69 | 23 | | 2 | 73 | 1 | 96 | | | |
| William Willis | do | do | 81 | | 04 | | 81 | | | | | | |
| Robert Dyson | do | do | 6 | 22 | 31 | | 3 | 06 | 3 | 16 | | | |
| Philip L. Pratt | Seaman | Connecticut | 203 | 08 | 10 | 15 | 77 | 95 | 125 | 13 | | | |
| Charles Grambusch | do | Unknown | 3 | 17 | 16 | | 1 | 16 | 2 | 01 | | | |
| William Lansing | Unknown | do | 63 | | 03 | | 63 | | | | | | |
| Carl M. Burmeister | Seaman | Germany | 35 | | 02 | | 35 | | | | | | |
| John Bills, or Pinkham | do | Rio Janeiro | 2 | 95 | 15 | | 1 | 15 | 1 | 80 | | | |

| Estates taken charge of by the Public Administrator, and which have not been heretofore reported | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commissions charged on such estates. | Total am. of expenditures includ- | | BALANCES. |
|--|-----------------|---------------------------|--|--------------------------------------|-----------------------------------|---|-----------|
| | | | | | pendt's includ. commiss. expen. | debts, distrib'ts and bal. pd. in to city treasury. | |
| John Kennedy..... | Seaman..... | New York..... | \$ 2 70 | \$ 13 | \$ 1 13 | \$ 1 57 | |
| Thomas Swale..... |do..... | Montreal..... | 145 08 | 7 25 | 20 75 | 124 33 | |
| Charles Wood..... | Contractor..... | New York..... | 8 00 | ..... | 8 00 | | |
| Isaac Day..... | Seaman..... | Unknown..... | 15 62 | 78 | 5 43 | 10 19 | |
| Patrick O'Neal..... | Laborer..... | Aspinwall..... | 139 00 | 6 95 | 25 95 | 113 05 | |
| Michael Sullivan..... |do..... | Mobile..... | 174 96 | 8 75 | 29 00 | 145 96 | |
| Susan Hayes..... | Widow..... | New York..... | 188 60 | 9 43 | 28 43 | 160 17 | |
| Mary Kelly..... |do..... |do..... | 130 58 | 6 52 | 71 04 | 59 54 | |
| Edward Kelly..... | Seaman..... | Batavia, E. I..... | 30 78 | 1 54 | 9 68 | 21 10 | |
| John Griffin, or Scott..... |do..... | Scotland..... | 95 54 | 4 77 | 95 54 | | |
| Henry G. Winkelman..... | Farmer..... | Switzerland..... | 25 00 | 1 25 | 20 09 | 4 91 | |
| William Stevens..... | Laborer..... | New York..... | 3,072 63 | 139 30 | 361 13 | 2,711 50 | |
| Robert Warner..... | Seaman..... |do..... | 29 41 | 1 47 | 9 62 | 19 79 | |
| Alexander Mackintosh..... | Merchant..... | British Guinea..... | 115 75 | 5 78 | 26 56 | 89 19 | |
| William Imbler..... | Farmer..... | California..... | 870 74 | 43 53 | 870 74 | | |
| Patrick Quinn..... | Mason..... | Aspinwall..... | 95 75 | 4 78 | 76 56 | 19 19 | |
| John Roach..... | Farmer..... | New York..... | 300 00 | 15 00 | 245 22 | 54 78 | |
| James O'Cavanagh..... | Laborer..... | Ireland..... | 40 50 | 2 03 | 40 50 | | |
| Thomas Nugent..... |do..... | Panama..... | 150 00 | 7 50 | 33 85 | 116 15 | |
| William Williamson..... | Unknown..... | Scotland..... | 34 00 | 1 70 | 9 42 | 24 58 | |
| Mary Ann Grey..... | Widow..... | New York..... | 666 16 | 33 30 | 166 45 | 499 71 | |

| | | | | | | |
|------------------------------|---------------|-----------------|----------|--------|--------|----------|
| Alois Huber..... | Unknown..... | France..... | 53 45 | 2 67 | 15 56 | 37 89 |
| Richard Cobden..... | Trader..... | England..... | 1,500 00 | 75 00 | 313 87 | 1,186 13 |
| Peter McCauley..... | Laborer..... | New York..... | 60 00 | 3 00 | 60 00 | |
| Christopher F. Ehrig..... | Unknown..... | California..... | 2,042 12 | 102 10 | 278 11 | 1,764 01 |
| Patrik Hayes..... | Laborer..... | New York..... | 22 31 | 1 10 | 22 31 | |
| John Cooke..... | Tinner..... | do..... | 106 82 | 5 34 | 93 49 | 13 33 |
| Alexander C. Lake..... | Seaman..... | do..... | 38 04 | 1 62 | 38 04 | |
| Alexander Daucet..... | ..... | do..... | 16 39 | 82 | 7 32 | 9 07 |
| John W. Ledem..... | ..... | do..... | 3 76 | 18 | 2 06 | 1 70 |
| Albert Metscher..... | Unknown..... | do..... | 4 84 | 24 | 2 87 | 1 97 |
| Henry Whitney..... | Seaman..... | Sweden..... | 1 67 | 08 | 1 67 | |
| Peter Neilson..... | do..... | Norway..... | 13 88 | 69 | 5 44 | 8 44 |
| William Mathews..... | Clerk..... | New York..... | 105 26 | 5 26 | 15 91 | 89 35 |
| Edward Hirst..... | Unknown..... | England..... | 62 | 03 | 62 | |
| Ann O'Hare..... | ingle..... | New York..... | 53 81 | 2 69 | 41 33 | 12 48 |
| Jane Theobald..... | Widow..... | do..... | 30 00 | 1 50 | 30 00 | |
| Robert Young..... | Laborer..... | Panama..... | 94 35 | 4 71 | 18 35 | 76 00 |
| Marg't Day or Maria Williams | ..... | New York..... | 169 56 | 8 47 | 43 04 | 126 52 |
| Richard Murray..... | Laborer..... | do..... | 34 55 | 1 72 | 34 55 | |
| Cyrus G. Page..... | Artist..... | do..... | 83 55 | 4 17 | 69 42 | 14 13 |
| William Stevens, 2d..... | Unknown..... | England..... | 24 69 | 1 23 | 7 81 | 16 88 |
| Michael Morris..... | Laborer..... | New York..... | 44 66 | 2 23 | 44 66 | |
| Bryan Gordon..... | do..... | do..... | 40 31 | 2 02 | 40 31 | |
| Robert C. Ellis..... | Merchant..... | England..... | 109 04 | 5 45 | 114 35 | |
| Owen Miller..... | Laborer..... | Panama..... | 25 52 | 1 27 | 4 77 | 20 75 |
| Jeremiah H. Snowden..... | Cook..... | New York..... | 119 04 | 5 95 | 88 10 | 30 94 |
| Charles Brant..... | Seaman..... | Unknown..... | 40 43 | 2 02 | 10 91 | 29 52 |

| Estates taken charge of by the Public Administrator, and which have not been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estates. | Commiss. charged on each est ^s . | Total am. of ex-pend'ts includ- commiss. expen- debts, distrib ^t and bal. pd. in- to city treas ^y | BALANCE. |
|---|-------------------|---------------------------|--|---|---|----------|
| | | | | | | |
| Francis Finnegan..... | Cartman..... | New York..... | \$194 45 | \$9 72 | 9 68 | \$144 77 |
| Martin Duchon..... | Seaman..... | Prussia..... | 57 10 | 2 85 | 12 99 | 44 11 |
| John Martin..... | Mason..... | New York..... | 24 50 | 1 22 | 11 31 | 13 19 |
| Jeremiah Collins..... | Laborer..... | Panama..... | 67 38 | 3 37 | 7 37 | 60 01 |
| John P. Hawthorne..... | Boatman..... | New York..... | 56 00 | 2 80 | 51 20 | 4 80 |
| Timothy Mason..... | Laborer..... | Aspinwall..... | 43 73 | 2 17 | 15 42 | 28 31 |
| William J. Weir..... | Printer..... | New York..... | 131 28 | 6 56 | 119 81 | 11 47 |
| Francis Meyer..... | Stone cutter..... | Switzerland..... | 50 62 | 2 53 | 40 78 | 9 84 |
| Rudolph Serai..... | Unknown..... | France..... | 38 53 | 1 92 | 10 56 | 27 97 |
| Phides G. Clark..... |do..... | Liverpool..... | 26 78 | 1 33 | 9 45 | 17 33 |
| Pascal Penin..... |do..... | Cuba..... | 80 33 | 4 02 | 20 90 | 59 43 |
| William Ebert..... |do..... | New Orleans..... | 97 57 | 4 87 | 20 01 | 77 56 |
| Anthony Donohue..... | Roofer..... | New York..... | 24 42 | 1 22 | 20 36 | 3 06 |
| Edward Wheeler..... | Hostler..... |do..... | 400 00 | 20 00 | 259 12 | 140 88 |
| Hugh Young..... | Laborer..... | Panama..... | 125 00 | 6 25 | 25 90 | 99 10 |
| Henry Hepburn..... | Iron worker..... | New York..... | 22 83 | 1 14 | 22 83 | |
| Alexander R. Walsh..... | Measurer..... |do..... | 156 07 | 7 80 | 83 44 | 72 63 |
| Robert Kempf..... | Musician..... |do..... | 20 35 | 1 02 | 7 02 | 13 33 |
| F. G. Gaiser..... | Unknown..... | Germany..... | 25 03 | 1 25 | 23 00 | 2 03 |
| James Carrow..... | Waiter..... | New York..... | 62 22 | ..... | 62 22 | |
| Mathew S. Legget..... | Seaman..... | Unknown..... | 18 31 | ..... | 5 41 | 12 90 |

| | | | | | | |
|------------------------------|------------------|-----------------|--------|-------|--------|--------|
| John McNiel..... | Mason..... | New York..... | 27 38 | 1 37 | 20 87 | 6 51 |
| August Boffet..... | Tavern keeper.. | New Haven.... | 5 85 | 29 | 2 29 | 3 56 |
| Thomas Reeves..... | Seaman..... | Wales..... | 13 62 | 67 | 5 82 | 7 80 |
| Jane Compton..... | Widow..... | New York..... | 20 37 | 1 02 | 7 27 | 13 10 |
| Andrew O'Brien..... | Hostler..... | Ireland..... | 5 50 | ..... | 5 50 | |
| John Abrams..... | Trader..... | New Hampshire. | 282 46 | 14 12 | 282 46 | |
| William Robertson..... | Laborer..... | New York..... | 26 87 | 1 34 | 18 58 | 8 29 |
| John Brown..... | Fireman..... |do..... | 17 00 | 85 | 3 35 | 13 65 |
| Alfred Osborn, or Orton..... | Unknown..... | Liverpool..... | 419 61 | 20 98 | 44 73 | 374 88 |
| William Maxwell..... | Seaman..... | New York..... | 11 28 | ..... | 11 28 | |
| James Martin..... | Unknown..... |do..... | 100 00 | 5 00 | 32 65 | 67 35 |
| Frederick J. Fuller..... | Carpenter..... |do..... | 216 61 | 10 83 | 149 02 | 63 24 |
| Alice Keenan..... | Single..... | Ireland..... | 77 57 | 3 87 | 55 85 | 21 72 |
| Ernest G. Hovernan..... | Unknown..... | Hanover..... | 88 73 | 4 43 | 12 95 | 76 68 |
| Henry Bogardus..... | Porter..... | New York..... | 9 06 | 45 | 2 45 | 6 61 |
| Andreas Herr..... | Unknown..... | Switzerland.... | 37 84 | 1 89 | 4 89 | 32 95 |
| Burkhardt Tschudi..... |do..... |do..... | 1 12 | 06 | 56 | 56 |
| Henry Turpin..... | Iron worker..... | New York..... | 136 25 | 6 81 | 18 25 | 118 00 |
| James Dimond..... | Contractor..... | Brooklyn..... | 38 98 | 1 95 | 4 95 | 34 03 |
| Francisco de Silva..... | Seaman..... | Fayal..... | 122 70 | 6 13 | 51 58 | 71 12 |
| Caroline Morris..... | Widow..... | New York..... | 200 00 | 10 00 | 27 65 | 172 35 |
| Andrew J. Comber..... | Laborer..... |do..... | 146 69 | 7 33 | 145 04 | 1 65 |
| Louis Chitti..... | Unknown..... |do..... | 47 03 | 1 01 | 47 03 | |
| Henry Burke..... | Carpenter..... |do..... | 200 00 | 10 00 | 26 80 | 173 20 |
| George W. Conyber..... | Seaman..... | England..... | 27 24 | 1 38 | 2 88 | 24 36 |
| Andrew Hay..... |do..... | Scotland..... | 30 78 | 1 53 | 4 03 | 26 75 |
| Adam Mowatt..... | Colored..... | New York..... | 38 80 | 1 94 | 3 94 | 34 86 |

| Estate taken charge of by the Public Administrator, and which have not been heretofore reported. | Additions. | Residence, or where from. | Total amount received to the credit of such estate. | Commis. charged on such estate. | Total amount of expenditures, commissions, debts, distribut. and bal. pd. in to city treasury. | BALANCES. |
|--|--------------------|---------------------------|---|---------------------------------|--|-----------|
| | | | | | | |
| Marcus Oppenheimer..... | Grocer..... | New York..... | 66 18 | 3 31 | 42 56 | 23 62 |
| Elizabeth Scheaver..... | ..... | Germany..... | 90 00 | 4 50 | 88 50 | 1 50 |
| John Marony..... | Laborer..... | New York..... | 2 00 | 10 | 60 | 1 40 |
| Ichabod Jackson..... | Pensioner..... |do..... | 135 60 | 6 78 | 110 43 | 25 23 |
| John Murphy..... | Seaman..... |do..... | 14 10 | 70 | 2 95 | 11 15 |
| John Annee..... |do..... | China..... | 35 90 | 1 80 | 6 30 | 29 60 |
| Thomas Gray..... | Unknown..... | Jersey City..... | 864 00 | 43 20 | 258 26 | 575 74 |
| William Mullane..... | Coppersmith..... | New York..... | 1,000 00 | 50 00 | 96 25 | 903 75 |
| William Newson..... | Tavern keeper..... |do..... | ..... | ..... | 1 38 | |
| Patrick McGivern..... | Unknown..... | Ireland..... | ..... | ..... | 6 00 | |
| David M. Holthuyser..... |do..... | New York..... | ..... | ..... | ..... |  |
| Ferdinand Von Lengerke..... | Merchant..... | Germany..... | 62 50 | ..... | 62 50 | |
| E. D. Sawtelle..... |do..... | Wisconsin..... | 1,062 30 | ..... | 1,062 30 | |
| Robert Lanning..... | Unknown..... | Michigan..... | 15 00 | ..... | 15 00 | |
| David Barron..... | Farmer..... | Pennsylvania..... | 12 00 | ..... | 12 00 | |
| Ira Lawyer..... | Unknown..... | New York..... | 25 00 | ..... | 25 00 | |
| David D. Sherwood..... | Ship master..... |do..... | 15 00 | ..... | 15 00 | |
| Dennis Connor..... | Laborer..... |do..... | 10 00 | ..... | 10 0 | |
| Joanna Palmer..... | Widow..... |do..... | 5 00 | ..... | 5 00 | |
| Manuel Torado..... | Artist..... |do..... | ..... | ..... | ..... |  |
| John S. Hathaway..... | U. S. Army..... |do..... | 50 00 | ..... | 50 00 | |

| | | | |
|--------------------------------|------------------|------------------|--------|
| James Lynch..... | Unknown..... | New York..... | 2 25 |
| H. Augustus Post..... | Dentist..... | Connecticut..... | 32 10 |
| Anthony Imbrey..... | Unknown..... | Ohio..... | 2 90 |
| Andrew Gardiner..... | do..... | New Orleans..... | 48 40 |
| Elizabeth Laforge..... | Widow..... | New York..... | 9 15 |
| Eugene L. de Lalaine..... | Artist..... | France..... | 25 00 |
| Henrietta Moore, or Rosenfield | ..... | New Orleans..... | 9 15 |
| Samson Tams..... | Unknown..... | New York..... | |
| Frederick Offer..... | Grocer..... | do..... | |
| Ernest Osenkopf..... | Unknown..... | Germany..... | 1 50 |
| Abisha Pease..... | Carpenter..... | Maine..... | 3 00 |
| William Witzell..... | Marble cutter... | New York..... | 84 |
| David Moore..... | Accountant..... | do..... | 175 87 |
| Shadrach Holland..... | Seaman..... | do..... | |
| John L. H. McCracken..... | Merchant..... | do..... | |
| Charles A. Geller..... | do..... | Venezuela..... | |
| Edward Matthews..... | Colored..... | New York..... | 4 86 |

PETER B. SWEENEY,

Public Administrator in the city of New York.

PUBLIC ADMINISTRATOR'S OFFICE, }
New York, January 3, 1854. }

REPORT OF SUITS PENDING.

Estate, CHRISTIAN BLUM.—Suit to recover money. The Public Administrator is plaintiff.

“ DAVID COLLIN and LEOPOLD COLLIN.—Suit to recover insurance money. The Public Administrator is plaintiff.

“ HUGH ROBERTS.—Suit to recover money. The Public Administrator is defendant.

“ CATHARINE ARTHUR.—Suit to recover claim against the intestate. The Public Administrator is defendant.

“ PETER J. LEVY.—Suit to foreclose a mortgage. The Public Administrator is a party defendant.

“ JAMES RIDGWAY.—Suit to recover claim against the intestate. The Public Administrator is defendant.

“ EUGENE DE LALAIRE.—Suit to recover money. The Public Administrator is plaintiff

“ SAMPSON TAMS.—Suit to foreclose a mortgage. The Public Administrator is a party defendant.

“ JAMES KAIN.—Suit for an account from a private administrator. The Public Administrator is a party defendant.

PETER B. SWEENY,

Public Administrator in the city of New York.

PUBLIC ADMINISTRATOR'S OFFICE, {
New York, January 3, 1854. }

REPORT OF BALANCES

Standing to the credit of the following estates, unclaimed by kin or otherwise, and paid into the City Treasury, December 31, 1853, by Peter B. Sweeny, Public Administrator.

| ESTATE. | | ESTATE. | |
|----------------------|------------|----------------------|-------------------|
| Letitia J. Herbert.. | \$ 14 47 | Brought forward... | \$1,909 74 |
| Maurice Doyle.... | 211 34 | Catharine Finnerty. | 16 57 |
| John Miller. | 45 10 | William Smith.... | 9 36 |
| Robert Young..... | 118 16 | Henry Oliver..... | 378 63 |
| John Wells..... | 131 13 | John Park..... | 116 27 |
| James Hunt, or Kent | 200 07 | John Jones..... | 17 12 |
| Peter Caffray..... | 62 31 | Jane Givan..... | 5 57 |
| George Elton..... | 25 49 | Barbara Kessler... | 20 00 |
| Mary Sweeny..... | 16 00 | Thomas Grant.... | 15 48 |
| Frederick Pecker... | 52 28 | Conrad Textor.... | 20 14 |
| Charles Mathews... | 275 18 | Margaret Manwell. | 37 36 |
| Keinh'dt Soffleburgh | 20 28 | Rudolph Meyer... | 19 10 |
| Leopold Graffner... | 24 79 | William Buckley.. | 24 49 |
| Fr derick Brandt... | 4 54 | William Massey... | 10 02 |
| Charles Weil..... | 77 98 | Ann Carr, or Cahill. | 29 32 |
| Daniel Lynch..... | 61 41 | Thomas Murray... | 50 11 |
| Elizabeth Colden.. | 85 20 | Henry Goupilleau. | 418 84 |
| Charles Davis..... | 90 21 | Patrick Kinsey... | 141 35 |
| Fred. C. Muthreich. | 85 95 | Bridget Gallagher. | 130 94 |
| Edward Graves.... | 14 86 | Andrew Steines... | 9 30 |
| Dennis Boyle..... | 16 87 | Charles Peterson.. | 4 80 |
| Sarah Brand..... | 15 60 | John Burns..... | 34 00 |
| John E. Day..... | 42 63 | Barney Baldwin... | 34 76 |
| Amelia Keeling.... | 38 82 | Daniel Moran..... | 440 39 |
| Daniel McCarty... | 57 79 | William Thompson | 10 15 |
| Sarah Miller..... | 63 15 | H. C. Saunders... | 103 98 |
| Johanna Deppen... | 58 13 | | |
| Carried forward.. | \$1,909 74 | Total..... | <u>\$4,007 79</u> |

PETER B. SWEENEY,

Public Administrator in the city of New York.

PUBLIC ADMINISTRATOR'S OFFICE, }
New York, January 3, 1854. }

THE CORPORATION OF THE CITY OF NEW YORK in account with
PETER B. SWEENEY, Public Administrator.

| 1853. | | | Dec. 31, 1853. |
|----------|--|-------------------|--|
| Jan. | To paid for expenses removal and advertising..... | 11 43 | By Commissions |
| Feb. | “ for store room rent..... | 12 50 | on moneys re- |
| | “ for advertising annual re- port of 1852 in New York Express..... | 296 40 | ceived during the year 1853, by PETER B SWEENEY, Pub- lic Adminis- |
| March. | “ for advertising annual re- port of 1852 in Al- bany Argus..... | 100 00 | trator..... |
| April. | “ for postage..... | 2 48 | |
| | “ for advertising..... | 2 50 | |
| | “ for three months' office rent..... | 75 00 | |
| | “ for carpet, furniture, &c..... | 55 00 | |
| May. | “ for store room rent..... | 37 50 | |
| | “ for removing store room.. | 3 50 | |
| June. | “ for postage..... | 05 | |
| July. | “ for three months' office rent..... | 75 00 | |
| Sept. | “ for office railing..... | 1 32 | |
| October. | “ for three months' office rent..... | 75 00 | |
| | “ for serving one thousand notices, &c..... | 100 00 | |
| Dec. | “ F. W. Edmonds, City Chamberlain, balance of commissions..... | 1,251 72 | |
| | | <u>\$2,089 40</u> | <u>\$2,089 40</u> |

PETER B. SWEENEY,

Public Administrator in the city of New York.

PUBLIC ADMINISTRATOR'S OFFICE, }
New York, January 3, 1854. }

CITY AND COUNTY OF NEW YORK, ss.

PETER B. SWEENEY, Public Administrator in the city of New York, being duly sworn, says, that according to the best of his knowledge, information and belief, the annexed account contains a true statement of the moneys received for commissions and expenses, and of the total amount of receipts and expenditures in each case in which the Public Administrator has taken charge of, and collected any effects, or in which he has administered upon any estate during the year 1853; with the name of the deceased, his addition and place of residence at the time of his death, if known, and the country or place from whence he came, if a non-resident at the time of his death.

PETER B. SWEENEY.

Sworn before me, Jan- }
uary 5, 1854. }

ABM. R. LAWRENCE, Jr., *Commissioner of Deeds.*



DOCUMENT No. 4.

BOARD OF ALDERMEN.

JANUARY 12, 1854.

The following annual report of the Counsel to the Corporation, for the year 1853, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

OFFICE OF COUNSEL TO THE CORPORATION, }
January 2d 1854. }

To the Honorable the Common Council :

GENTLEMEN :—Pursuant to section 422 of the general ordinance organizing the Departments, I transmit a report of the titles of all actions prosecuted or defended by me, as provided in section 420 of said ordinance, and now pending and undetermined, and also of those actions which have been tried, argued, discontinued, settled or decided during the past year.

The former are contained in schedule A, and the latter in schedule B.

Respectfully submitted,

ROBERT J. DILLON.

SCHEDULE A.

COURT OF APPEALS.

Eugene Lentilhon,
Appellant,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Samuel M. Thompson and others,
Appellants,
agst.

The Mayor, &c., of the city of New York,
Respondents.

William Kelley,
Respondent,
agst.

The Mayor, &c., of the city of New York,
Appellants.

James Price and others,
Appellants,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Frederick L. Vultee and another,
Appellants,
adsm.

Charles H. Marshall,
Respondent.

Gottlies Gent,

Respondent,

agst.

The Mayor, &c., of the city of New York,
Appellants.

Reuben Parsons,

Appellant,

agst.

The Mayor, &c., of the city of New York and another,
Respondents.

The Mayor, &c., of the city of New York,
Respondents,

agst.

William Colgate,

Appellant.

The Mayor, &c., of the city of New York,
Respondents,

agst.

No. 1.

Philip Mabie and others,

Appellants.

The Mayor, &c., of the city of New York,
Respondents,

agst.

No. 2.

Philip Mabie and others,

Appellants.

SUPREME COURT.

Cornelius Vanderbilt,

agst.

Leonard Kirby and others,

agst.

The Mayor, &c., of the city
of New York.

The Mayor, &c., of the city
of New York.

| | |
|--------------------------------|---|
| Edmund Morewood and others, | The Mayor, &c., of the city of New York. |
|--------------------------------|---|

agst.

agst.

| | |
|---|-----------------------------|
| The Mayor, &c., of the city of New York. | Anthony Chapple and others. |
|---|-----------------------------|

Charles Brown,

George Douglass,

agst.

agst.

| | |
|--|---|
| The Mayor, &c., of the city of New York | The Mayor, &c., of the city of New York. |
|--|---|

John B. Lenoir,

Eugene Kettllas, Trustee,

agst.

agst.

| | |
|---|---|
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |
|---|---|

| | |
|--|----------------|
| The Mayor, &c., of the city of New York | Mary Ann Hall, |
|--|----------------|

agst.

agst.

| |
|--|
| The Mayor, &c., of the city of New York and others. |
|--|

Philip Melmo.

| | |
|------------------------------------|---------------------------------|
| Samuel B. Amory and wife, agst. | Alfred G. Benson and others, |
|------------------------------------|---------------------------------|

agst.

| | |
|--|---|
| The Mayor, &c., of the city of New York, impleaded. | The Mayor, &c., of the city of New York. |
|--|---|

Edwin Bartlett,

| |
|-----------------------------------|
| Mathew Marshall and an- other, |
|-----------------------------------|

agst.

agst.

| | |
|---|--|
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York and others. |
|---|--|

| | |
|--|--|
| James T. Bertine and another, agst. The Mayor, &c., of the city of New York. | Walter Franklin, agst. The Mayor, &c., of the city of New York, and others. |
| William B. Moneypenny, agst. The Mayor, &c., of the city of New York. | Stephen Clark and others, agst. The Mayor, &c., of the city of New York, and others. |
| The Mutual Life Insurance Company, agst. Joseph Jenkins. | Samuel B. Amory and others, agst. Martha Amory and others. |
| John M. Bradhurst, agst. The Mayor, &c., of the city New York. | Henry Beakley, agst. The Mayor, &c., of the city of New York. |
| The Mayor, &c., of the city of New York, agst. William Murray. | William Cairns, Jr., and another. agst. The Mayor, &c., of the city of New York, and others. |
| James Christopher and another, agst. The Mayor, &c., of the city New York. | William Samuel Johnson, agst. The Board of Supervisors of the city and county of New York, and others. |

| | |
|--|--|
| The Mayor, &c., of the city of New York, agst. Alfred G. Benson and others. | August Belmont and others, agst. The Mayor, &c., of the city of New York. |
| The People, ex. rel., E. D. Culver, agst. The Supervisors of the county of New York. | James Holland, agst. John Meighan, and another. |
| William Quinn, agst. John Meighan and another. | John McNeamy, vs. John Meighan, and another. |
| Sampson Dyckman, agst. The Mayor, &c., of the city of New York. | Barnet B. Boerum, agst. The Mayor, &c., of the city of New York. |
| Cornelius V. S. Roosevelt, agst. The Mayor, &c., of the city of New York. | Gerard Stuyvesant, agst. The Mayor, &c., of the city of New York, and others. |
| William Cooper, agst. The Mayor, &c., of the city of New York, and others. | The New York Fire and Ma- rine Insurance Company, agst. The Mayor, &c., of the city of New York, and others. |

| | |
|---|--|
| Daniel Gallagher, agst. | The Mayor, &c., of the city of New York, |
| The Mayor, &c., of the city of New York, and others. | agst. John J. Hicks, and another. |
| Harris Comstock, agst. | The People ex. rel., William H. Wright and others, |
| The Mayor, &c., of the city of New York. | agst. Azariah C. Flagg. |
| The Mayor, &c., of the city of New York, agst. | The Mutual Life Insurance Company, agst. |
| Cyrus P. Smith, and another. | The Board of Supervisors of the city and county of New York. |
| In the matter of the applica- tion of John Shea, for a writ of prohibition. | Marx Wolf, agst. The Mayor, &c., of the city of New York. |
| William B. Fitch, and another, agst. | |
| The Mayor, &c., of the city of New York. | |

NEW YORK SUPERIOR COURT.

| | |
|--|---|
| The Mayor, &c., of the city of New York, agst. | John B. Haskin, agst. |
| John T. Allen. | The Mayor, &c., of the city of New York. |

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| The Mayor &c., of the city of New York, agst. Eugene Ketellas. | Henry Brevoort and others agst. No. 1. The Mayor, &c., of the city of New York, and others. |
| Henry Brevoort and oth- ers, agst. No. 2. | The General Mutual Insu- rance Company, agst. |
| The Mayor, Aldermen, and Commonalty, of the city of New York. | The Mayor, &c., of the city of New York, and others. |
| Joseph Shilton and others, agst. | Monmouth B. Hart, agst. |
| The Mayor, &c., of the city of New York. | The Board of Supervisors, of the city and county of New York. |
| Eliphalet Nott, agst. | Chauncey St. John, agst. |
| The Mayor, &c., of the city of New York, and others. | The Mayor, &c., of the city of New York. |
| The Mayor, &c., of the city of New York, agst. | Dominick L. Lawrence, agst. |
| Calvin Oaks and others. | The Mayor, &c., of the city of New York, and others. |
| William Douglass, agst. | Lewis B. Griffin, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |

| | |
|--|--|
| Abel T. Anderson, agst. | The Mayor, &c., of the city of New York, agst. |
| The Mayor, &c., of the city of New York. | Duncan P. Campbell. |
| The Mayor, &c., of the city of New York, agst. | Smith W. Anderson, and another. agst. |
| Andrew C. Zabriskie, and others. | The Mayor, &c., of the city of New York. |
| Eliza Thompson, agst. | The Metropolitan Bank, agst. |
| Daniel Carpenter. | Harvey Hart, the Mayor, &c., and others. |
| John Joyce, agst. | John Pettigrew, agst. |
| Patrick Mahony. | The Mayor, &c., of the city of New York. |
| Ludwig Joeck, by John Barry, Guardian, agst. | Michael Lacour and others, agst. |
| Calvin N. Henry. | The Mayor, &c., of the city of New York. |
| N. S. Martin, agst. | Jason J. Palmer and another. agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |
| Francis B. Cutting, agst. | James C. Monaghan, agst. |
| The Mayor, &c., of the city of New York. | Nathaniel Paton, and others. |

| | |
|--|---|
| Richard Quinn, agst. | George C. Quackenbos, agst. |
| Martin McNerny. | The Mayor, &c., of the city of New York, and another. |
| Isaac Edwards, agst. | George C. Quackenbos, agst. |
| The Mayor, &c., of the city of New York. | Barbara Murray. |
| Abner Sandford, agst. | Mangle M. Quackenbos, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York, and another. |
| Mangle M. Quackenbos, agst. | Nicholas Quackenbos, Exe- cutor, and others, |
| Barbara Murray. | agst. |
| | The Mayor, &c., of the city of New York, and another. |
| Nicholas Quackenbos, Execu- tor, and others, agst. | The Mayor, &c., of the city of New York, No. 4. agst. |
| Barbara Murray. | Philip Mabie, and others. |
| Gertrude Leggett, agst. | Gertrude Leggett, agst. |
| Barbara Murray. | John Gilmartin. |
| Elizabeth O'Connor, adm'x., agst. | John Pettigrew, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |

| | |
|--|---|
| Horace P. Russ, and another, agst. | Jason J. Palmer, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |
| The Mayor, &c., of the city of New York, agst. | Charles Devlin, agst. |
| William B. Townsend, and others. | The Mayor, &c., of the city of New York. |
| William S. Gregory, and others, agst. | Alexander M. C. Smith, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city New York. |

The Mayor, &c., of the city of New York,
agst.

Frederick J. W. Barkman and George T. Rodman.

COMMON PLEAS.

| | |
|---|---|
| Maria De Varaigne, , agst. | John S. Carter, agst. |
| Eben Goodwin. | The Mayor, &c., of the city of New York. |
| George Hutson, agst. | John Green, agst. |
| The Mayor, &c., of the city of New York. | The Mayor, &c., of the city of New York. |

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|---|--|
| Lewis O. Wilson, agst. The Mayor, &c., of the city of New York. | Benjamin J. Carr, agst. The Mayor, &c., of the city of New York. |
| Josiah P. Knapp, agst. The Mayor, &c., of the city of New York. | Amelia Murken, adm'x, &c., agst. The Mayor, &c., of the city of New York. |
| Samuel H. Thompson, agst. The Mayor, &c., of the city of New York. | Reinhold Doscher, agst. The Mayor, &c., of the city of New York. |

U. S. CIRCUIT COURT.

| | |
|--|--------------------------------|
| Morris Ketchum, agst. No. 1. The Mayor, &c., of the city of New York. | Same, agst. No. 2. Same. |
|--|--------------------------------|

MARINE COURT.

| | |
|--|--|
| Montemas Van Lieu, agst. The Mayor, &c., of the city of New York. | James McManus, agst. The Mayor, &c., of the city of New York. |
| John Garrett, agst. The Mayor, &c., of the city of New York. | John Sumner, agst. The Mayor, &c., of the city of New York. |

SCHEDULE B.

COURT OF APPEALS.

Augustus K. Gardner,
Appellant,
agst.

The Board of Health of the city of New York,
Respondent.

Argued—decided in favor of Corporation.

The Sun Mutual Insurance Company,
Appellants,

No. 1. agst.

The Mayor, &c., of the city of New York, and another,
Respondents.

Argued—decided in favor of Corporation.

The same,
Appellants,

No. 2. agst.

The same,
Respondents.

Argued—decided in favor of Corporation.

Gabriel Furman, ex'r, &c.,
Appellants,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Argued—decided in favor of Corporation.

James W. Smith,
Appellant,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Argued—decided in favor of Corporation.

De Forest Manice and Charles G. Havens,
Appellants,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Argued—decided in favor of Corporation.

Eliza Moore,
Appellant,
agst.

The Mayor, &c., of the city of New York,
Respondents..

Argued—decided in favor of Corporation.

George Hutson and wife,
Respondents,
agst.

The Mayor, &c., of the city of New York,
Appellants.

Argued—decision adverse to Corporation.

John Carlin and William Harriman,
Respondents,
agst.

The Mayor, &c., of the city of New York,
Appellants.

Argued—decision adverse to Corporation.

Stephen Whitney,
Respondent,
agst.

The Mayor, &c., of the city of New York,
Appellants.

Argued—re-argument ordered.

Charles G. Griffen,
Appellant.
agst.

The Mayor, &c., of the city of New York,
Respondents.

Cause submitted.

Lewis B. Griffen,
Appellant,
agst.

The Mayor, &c., of the city of New York,
Respondents.

Discontinued—appeal withdrawn.

Hiram Pack,
Respondent,
agst.

The Mayor, &c., of the city of New York,
Appellants.

Argued—decided in favor of Corporation.

The People of the state of N. Y., ex. rel. Davis & Palmer,
Respondents,
agst.

Abraham Moore,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Dudley Haley,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Jacob F. Oakley,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
William M. Tweed,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Richard T. Compton,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
William J. Brisley,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
James M. Bard,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Asahel A. Denman,
Appellant,
Decided in favor of respondents.

The same,
Respondents,
agst.
Thomas J. Barr,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
William H. Cornell,
Appellant.
Decided in favor of respondents.

The same,
Respondents.
agst.
John Doherty,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
William J. Peck,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
William McConkey,
Appellant.

Decided in favor of respondents.

The same,
Respondents.
agst.
Jacob Valentine,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Joseph Rogers,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
William H. Wright,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Thomas Wheelan,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Edwin Bouton,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
'Helmus M. Wells,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Charles H. Ring,
Appellant.

Decided in favor of respondents.

The same,
Respondents,
agst.
Patrick Breaden,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
John F. Rodman,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Timothy O'Brien,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Samuel R. Mabbatt,
Appellant.
Decided in favor of respondents.

The same,
Respondents,
agst.
Josiah W. Brown,
Appellant.
Decided in favor of respondents.

SUPREME COURT.

Gouverneur Morris and Wife,
agst.

The Mayor, &c., of the city of New York.

Discontinued.

William C. Waddell,
agst.

The Mayor, &c., of the city of New York.

April 20th, 1853. Discontinued.

Abel T. Anderson and another,
agst.

The Mayor, &c., of the city of New York.

Decided adverse to Corporation.

Charles J. Holt,
agst.

The Mayor, &c., of the city of New York.

Judgment for Corporation, January 24th, 1853.

Edward Roberts and others,
agst.

The Mayor, &c., of the city of New York.

Discontinued.

The Mayor, &c., of the city of New York,
agst.

Oliver Charlick and others.

Discontinued.

John C. Thwing,
agst.

The Mayor, &c., of the city of New York.

Decided in favor of the Corporation—no judgment.

In the matter of Patrick Henry.

Judgment in favor of Corporation—motion dismissed.

John Townsend,
agst.
Garrett Dyckman,

Argued—not decided.

The Rector, &c., of Trinity Church,
agst.

The Mayor, &c., of the city of New York.

Argued—decided in favor of Corporation.

In re. Garrett Dyckman.

Argued—not decided.

The People, ex. rel., Stinson McIver,
agst.

The Board of Education and others.

Argued—decided in favor of Corporation—mandamus
denied.

John C. Thwing,
agst.

No. 2.

The Mayor, &c., of the city of New York.

Argued—not decided.

The People ex. rel., Robert H. Morris,
agst.

Francis W. Edmonds, Chamberlain of the city, and
Treasurer of the city and county of New York.

Argued—mandamus granted.

Cornelius B. De Baum,
agst.

The Mayor, &c., of the city of New York, and others.

Argued—decision—injunction granted.

Isaac Adriance,
agst.

The Tax Commissioners.

Mandamus denied.

The People ex. rel., William B. Reynolds,
agst.

Azariah C. Flagg.

Argued—decided adverse to Corporation—mandamus
granted.

The People ex. rel., Horace P. Russ & George W. Reid,
agst.

Azariah C. Falgg.

Argued—decision adverse to Corporation—mandamus
granted.

N. Y. SUPERIOR COURT.

William Laimbier,
agst.

The Mayor, &c., of the city of New York.

In judgment—executed, November 11, 1850.

John L. Brower and others,
agst.

The Mayor, &c., of the city of New York.

Decided—judgment adverse to Corporation.

Michael Henkel, adms., &c., of Conrad Henkel, dec'd,
agst.

The Mayor, &c., of the city of New York.

Judgment in favor of defendants.

Michael Henkel, adms., &c., of Albert Henkel, dec'd,
agst.

The Mayor, &c., of the city of New York.

Judgment for defendants.

The Mayor, &c., of the city of New York,
agst.

Peter Schermerhorn.

Abated by the death of defendant.

Joseph A. Cullen,
agst.

The Mayor, &c., of the city of New York.

Abated by the death of the plaintiff.

Daniel Martine,
agst.

The Mayor, &c., of the city of New York.

Tried—complaint dismissed.

William Douglass,

agst.

The Mayor, &c., of the city of New York.

Judgment in favor of Corporation.

The Trustees of the New York Society Library,

agst.

The Mayor, &c., of the city of New York.

Argued—not decided.

Smith W. Anderson, and another,

agst.

The Mayor, &c., of the city of New York.

Judgment for Corporation.

The Mayor, &c., of the city of New York,

No. 1.

agst.

Philip Mabie, and others.

Tried—judgment for Corporation.

The same,

No. 2.

agst.

The same.

Tried—judgment for Corporation.

Nicholas Duffy,

agst.

The Mayor, &c., of the city of New York.

Tried—judgment for Corporation.

Edward Shilton, and another,

agst.

The Mayor of the city of New York.

Tried—judgment adverse to Corporation.

William Frasier,

agst.

The Mayor, &c., of the city of New York.

Tried—judgment adverse to Corporation.

John H. Griscom,

agst.

The Mayor, &c., of the city of New York.

Argued—judgment adverse to Corporation.

Heloise D. Chegaray,

agst.

The Mayor, &c., of the city of New York.

Argued—judgment adverse to Corporation.

James N. Hall,

agst.

John N. Smith, and another.

Tried—complaint dismissed.

The Mayor, &c., of the city of New York,

agst.

Peter Stuyvesant, and others.

Tried—judgment in favor of Corporation.

John Perrman, and another.

agst.

Francis Donohue, and another.

Tried—verdict for plaintiffs

Thomas B. Coddington,
agst.

George White, and another.

Tried and argued—judgment for plaintiff.

Francis Cassidy,
agst.

The Mayor, &c., of the city of New York.

Tried—judgment adverse to Corporation.

Michael Lacour,
agst.

The Mayor, &c., of the city of New York.

Tried at Trial Term—verdict against the Corporation.

Ann Donohue,
agst.

George Hammond.

Complaint dismissed at Trial Term.

Peter Lorrillard,
agst.

The Mayor, &c., of the city of New York.

Decided at Special Term—adverse to Corporation.

The Attorney General, Thomas E. Davis and Courtlandt
Palmer,

agst.

The Mayor, &c., of the city of New York.

Decided at Special Term—adverse to Corporation.

John N. Briggs,
agst.

Daniel Carpenter.

Complaint dismissed at Trial Term.

The Mayor, &c., of the city of New York,
agst.

No. 3.

Philip Mabie, and others.

Tried—judgment in favor of Corporation.

George O. Ruger,
agst.

The Mayor, &c., of the city of New York.

Tried—judgment adverse to Corporation.

Charles Huston,
agst.

The Mayor, &c., of the city of New York.

Tried—judgment adverse to Corporation.

Erastus C. Benedict, and others,
agst.

George W. Tucker, the Mayor, &c., and others.

Tried at Special Term—judgment for plaintiffs. Corporation nominal parties.

Edward Roberts, and others,
agst.

The Mayor, &c., of the city of New York.

Argued—not decided.

Charles C. Leigh, and others,
agst.

Jacob A. Westervelt, Mayor, and others.

Argued at Special Term—decision in favor of defendants.

John Peter Drumm,
agst.

Frederick W. Hart.

Discontinued.

Samuel A. Foot,
agst.

The Mayor, &c., of the city of New York.

Discontinued.

Claus H. Cordes,
agst.

The Mayor, &c., of the city of New York.

Same vs. same.

Discontinued.

James Moore,
agst.

The Mayor, &c., of the city of New York, and others.

Argued—not decided.

The Trustees of the Cannon street Baptist church,
agst.

The Mayor, &c., of the city of New York.

Motion argued—decided in favor of Corporation.

Horace P. Russ, and another,
agst.

The Mayor, &c., of the city of New York, and others.

Motion at Special Term—argued and decided in favor
of Corporation.

COMMON PLEAS.

Thomas Barlow,
agst.

Edward Dowdican.

Complaint dismissed at Trial Term.

Peter Van Slack,
agst.

The Mayor, &c., of the city of New York.

Tried—complaint dismissed.

Michael Kelly,
agst.

The Mayor, &c., of the city of New York.

Complaint dismissed.

Hiram Frost,
agst.
Luke Gary.

Cause tried—verdict for plaintiff.

William Huntress,
agst.

Charles Triglar, Thomas Hannegan, and another.

Complaint dismissed as to defendant Hannegan.

John Townshend,
agst.

Garrett Dyckman.

Judgment of Justices' Court in favor of plaintiff affirmed
at General Term.

Albert Van Winkle,
agst.

The Mayor, &c., of the city of New York.

Discontinued.

John Kaul,

agst.

The Mayor, &c., of the city of New York.

Judgment of Marine Court in favor of plaintiff, affirmed
at General Term.

Sarah H. Jacobs, and another,

agst.

The Mayor, &c., of the city of New York.

Tried—not yet decided.

Samuel H. De Mott, and others,

agst.

The Mayor, &c., of the city of New York.

Tried—not yet decided.

Frederick A. Peterson,

agst.

The Mayor, &c., of the city of New York.

Tried at trial term, and complaint dismissed.

Bridget Monohan,

agst.

Bryan Dowling, and others.

Tried—in favor of defendants.

Henry C. Van Leuwen,

agst.

The Mayor, &c., of the city of New York.

Tried—complaint dismissed.

David Banta,

agst.

The Mayor, &c., of the city of New York.

Settled.

James B. Hetherington,
agst.

Azariah C. Flagg.

Argued at General Term—not yet decided.

MARINE COURT.

Jacob Henefas,
agst.

Richard A. Chambers.

Judgment for plaintiff, six cents, with costs.

The Mayor, &c., of the city of New York.
agst.

John J. Lynch.

Settled.

Moses Y. Beach,
agst.

The Mayor, &c., of the City of New York.

Complaint dismissed.

Hermann Doscher,
agst.

Joseph Dowling.

Tried—verdict for defendant.

JUSTICES' COURT—SIXTH DISTRICT.

John Jaco.
agst.

The Mayor, &c., of the city of New York, and another.

Tried and argued—judgment for defendants.

DOCUMENT No. 5.

BOARD OF ALDERMEN.

JANUARY 12, 1854.

The following report of the Commissioner of Repairs and Supplies for the month of December, 1853, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

To the Honorable the Common Council :

GENTLEMEN:—Attached you will find the regular monthly report of the disbursements of the office of Commissioner of Repairs and Supplies for the month of December, 1853.

Respectfully submitted,

B. B. PURDY,

Commissioner of Repairs and Supplies.

January 12, 1853.

The Comptroller of the City of New York in account current with the Commissioner of Repairs and Supplies.

BUREAU OF REPAIRS AND SUPPLIES.

First payment in December, 1853.

| | |
|----------------------------|------------|
| To paid for City Hall..... | \$141 08 |
| “ Public Offices..... | 186 80 |
| “ Cleaning wells..... | 60 75 |
| “ Repairs to Pumps..... | 305 00 |
| “ District Courts..... | 61 50 |
| “ Markets..... | 581 54 |
| “ Labor..... | 60 00 |
| | <hr/> |
| | \$1,396 67 |

Police Stations.

| | | |
|---|---------|----------|
| Sixth district..... | \$10 00 | |
| Eighth district..... | 8 00 | |
| Seventeenth district..... | 3 50 | |
| Twentieth district..... | 267 00 | \$288 50 |
| Carriage hire for Committees of Common Council..... | | 85 00 |

Contract.

| | |
|---|------------|
| To T. M. Wiswall, second payment, Eighth Ward Station house, mason work..... | 700 00 |
| Townsend V. Roe, first payment for carpenter work, in erecting building for use of Sixth Ward police..... | 1,000 00 |
| | <hr/> |
| Carried forward..... | \$3,470 17 |

BUREAU OF REPAIRS AND SUPPLIES—Continued.

(Contract work.) First payment, December, 1853.

| | |
|---|-------------------|
| Brought forward..... | \$3,470 17 |
| Robinson and Miller, fifth payment, erecting police telegraph..... | 1,250 00 |
| | <u>\$4,720 17</u> |

| CONTRA. | CR. |
|-------------------------------------|-------------------|
| Warrant in favor of T. O'Riley..... | 267 00 |
| “ E. S. Dewey..... | 305 00 |
| “ T. J. Lane..... | 75 00 |
| “ N. McLeod..... | 243 54 |
| “ J. L. Miller & Co.. | 112 00 |
| “ Owens & Kettleman | 57 00 |
| “ T. M. Wiswall.... | 700 00 |
| “ T. V. Roe..... | 1,000 00 |
| “ E. Vanranst..... | 85 00 |
| “ Edward Bonnell ... | 451 00 |
| “ Wm. Thorp..... | 60 75 |
| “ Robinson & Miller. | 1,250 00 |
| “ T. S. Halstead.... | 23 80 |
| “ A. T. Stewart..... | 9 08 |
| “ B. B. Purdy..... | 81 00 |
| | <u>\$4,720 17</u> |

REPAIRS AND SUPPLIES.

Second payment in December, 1853.

| | |
|----------------------------------|-------------------|
| To paid for Markets..... | \$508 00 |
| “ District and other courts..... | 209 12 |
| “ Public offices..... | 1,219 81 |
| “ Cleaning wells..... | 53 50 |
| “ “ wells and pumps..... | 438 00 |
| “ Police telegraph..... | 230 00 |
| “ Labor..... | 36 00 |
| Carried forward..... | <u>\$2,694 43</u> |

BUREAU OF REPAIRS AND SUPPLIES—Continued.

(Contract work.) Second payment, December, 1853.

Brought forward..... \$2,694 43

Police Stations.

| | |
|--------------------------|-----------------|
| First district..... | \$ 13 38 |
| Fifth district..... | 83 30 |
| Eighth district..... | 71 25 |
| Fourteenth district..... | 30 75 |
| Fifteenth district..... | 107 00 |
| Nineteenth district..... | 210 75 \$516 43 |

Contract.

To Owens & Kettlemen, fifth payment,

Seventeenth Ward Station house....

1,000 00

\$4,210 86

CONTRA.

CR.

| | |
|--------------------------------------|------------------|
| Warrant in favor of William Thorp... | 53 50 |
| “ E. S. Dewey..... | 250 00 |
| “ E. Bonnell..... | 241 05 |
| “ Hiram Purdy..... | 227 00 |
| “ J. L. Miller & Co.. | 1,112 00 |
| “ John Green..... | 175 00 |
| “ William Moore.... | 94 00 |
| “ D. O'Meara..... | 769 00 |
| “ Owens & Kettleman. | 1,000 00 |
| “ Robinson & Miller. | 230 00 |
| “ R. Wortendyke.... | 23 31 |
| “ B. B. Purdy..... | 36 00 \$4,210 86 |

REPAIRS AND SUPPLIES—(Continued.)

Third payment, December, 1853.

| | | |
|-------------|-----------------------------------|------------|
| To paid for | City Hall..... | \$73 02 |
| " | Wells and pumps..... | 845 00 |
| " | Cleaning wells..... | 55 25 |
| " | District Courts..... | 52 88 |
| " | Public office..... | 2 00 |
| " | Carriage hire for Committees..... | 30 75 |
| " | Labor..... | 60 00 |
| | | <hr/> |
| | | \$1,119 90 |

Police Stations.

| | | |
|---------------------|--------|------------|
| Fifth District..... | \$8 14 | |
| Third " | 4 25 | 12 39 |
| | | <hr/> |
| | | \$1,132 29 |

CONTRA.

CR.

| | | |
|--------------------------------------|----------|------------|
| Warrant in favor of E. S. Dewey..... | \$845 00 | |
| " " Wm. Thorp..... | 55 25 | |
| " " Ennever & Charlock | 79 60 | |
| " " E. Vanranst..... | 30 75 | |
| " " J. Lane..... | 50 00 | |
| " " B. B. Purdy..... | 71 69 | \$1,132 29 |
| | | <hr/> |

First Payment in December, 1853.

Bills of the Chief Engineer.

| | |
|--------------------------------|----------|
| Repairs to hose carriages..... | \$353 50 |
| " Engines..... | 165 00 |
| " Hook and ladders..... | 48 50 |
| | <hr/> |
| Carried forward..... | \$567 00 |

BILLS OF CHIEF ENGINEER—(Continued.)

First Payment, December, 1853.

| | | |
|-----------------------------|----------|------------|
| Brought forward..... | \$567 00 | |
| New hose..... | 245 00 | |
| Rope..... | 94 29 | |
| Wrenches..... | 3 38 | |
| Cartage..... | 41 26 | |
| Working fire telegraph..... | 103 75 | |
| Affidavits..... | 3 75 | |
| Workmen's wages..... | 108 00 | |
| | | \$1,166 43 |

*Bills of Superintendent of Buildings relative to
Fire Department.*

First Payment in December, 1853.

| | | |
|-------------------------------|----------|------------|
| Repairs to engine houses..... | \$333 05 | |
| " Hose " | 462 50 | |
| " Bell towers..... | 150 00 | |
| " Hook and ladder..... | 18 00 | |
| Stoves for engine houses..... | 400 14 | |
| " Hose..... | 190 00 | |
| " Bell towers..... | 70 23 | |
| Affidavits..... | 11 13 | |
| Inspectors' wages..... | 24 00 | \$1,659 05 |

Contract

| | | |
|--|------------|--|
| Owens & Kettleman, first payment for mason work at Nos. 19 and 21 Elizabeth street.... | 500 00 | |
| Owens & Kettleman, second payment for mason work at Nos. 19 and 21 Elizabeth street.... | 500 00 | |
| Carried forward..... | \$3,825 48 | |

BILLS OF CHIEF ENGINEER—Continued.

(Contract work.) First Payment, December, 1853.

| | |
|--|-------------------|
| Brought forward..... | \$3,825 48 |
| Purdy & Dugan, for carpenter work in altering house of engine company No. 34..... | 150 00 |
| Purdy & Dugan, last payment for carpenter work in altering house of hook and ladder company No. 2..... | 200 00 |
| | <u>\$4,175 48</u> |

CONTRA.

CR.

| | | |
|------------------------------------|------------|------------|
| Warrant in favor of B. B. Purdy... | \$1,814 48 | |
| " " J. L. Miller & Co. | 300 00 | |
| " " E. C. Green..... | 51 00 | |
| " " Owens & Kettleman | 1,000 00 | |
| " " E. Bonnell..... | 660 00 | |
| " " Purdy & Dugan.. | 350 00 | \$4,175 48 |

Second Payment in December, 1853.

Bills of the Chief Engineer.

| | |
|---------------------------|-------------------|
| Workmen's wages..... | \$107 00 |
| Repairs to engines..... | 257 69 |
| " Hose carriages..... | 293 84 |
| " Hook and ladders..... | 77 75 |
| " Striking apparatus..... | 23 00 |
| New hose..... | 242 50 |
| Cartage..... | 42 80 |
| Signals | 95 00 |
| Carried forward..... | <u>\$1,139 58</u> |

BILLS OF CHIEF ENGINEER—(Continued,)

Second Payment, December 1853.

Contract Work.

| | | |
|--|------------|-------------------|
| Brought forward..... | \$1,139 58 | |
| John A. Sickels, for building a new engine for the use of engine com- pany No. 15..... | \$1,800 00 | |
| James Smith, building a new engine for use of company No. 42..... | 1,450 00 | |
| John A. Sickles, for building a new engine for the use of company No. 26..... | 1,250 00 | 4,500 00 |
| | | <u>\$5,639 58</u> |

*Bills of Superintendent of Buildings, relative to
Fire Department.*

Second Payment in December, 1853.

| | | |
|--------------------------------|---------|--|
| Inspectors' wages..... | \$24 00 | |
| Bell towers..... | 139 79 | |
| Engine houses..... | 116 40 | |
| Hose " | 286 50 | |
| Stoves for hose houses..... | 100 63 | |
| " Engine " | 100 57 | |
| " Hook and ladder houses.. | 30 50 | |
| Hook and ladder houses..... | 100 61 | |

Contract.

| | |
|---|--------|
| Owens & Kettleman, third payment for mason work in erecting buildings at Nos. 19 and 21 Elizabeth street. | 500 00 |
|---|--------|

 Carried forward.....\$1,399 00 \$5,639 58

BILLS OF SUPERINTENDENT OF BUILDINGS RELATIVE TO FIRE
DEPARTMENT—(Continued.)

Second Payment, December, 1853.

| | | |
|--|------------|--------------------|
| Brought forward..... | \$1,399 00 | \$5,639 58 |
| Owens & Kettleman, first payment for mason work in erecting building in Fourth avenue for use of engine company No. 28, and hook and ladder company No. 9..... | 600 00 | |
| Platt & Fisher, first payment for ma- son work in erecting house for use of engine company No. 11..... | 400 00 | |
| T. M. Wiswall, first payment for erecting (carpenter work) building Nos. 19 and 21 Elizabeth street.. | 700 00 | |
| Daniel O'Meara..... | 365 00 | |
| John G. Seely, for removing bell from Thirty-third street bell tower to cupola of City Hall..... | 925 00 | \$4,389 00 |
| | | <u>\$10,028 58</u> |

CONTRA.

CR.

| | |
|--------------------------------------|-------------------|
| Warrant in favor of B. B. Purdy..... | \$1,486 64 |
| " " J. W. Sickels..... | 3,050 00 |
| " " Jas. Smith..... | 1,450 00 |
| " " Owens & Kettleman..... | 1,100 00 |
| " " Daniel O'Meara..... | 150 00 |
| " " Platt & Fisher..... | 400 00 |
| " " T. M. Wiswall..... | 700 00 |
| Carried forward..... | <u>\$8,326 64</u> |

BILLS OF SUPERINTENDENT OF BUILDINGS RELATIVE TO FIRE
DEPARTMENT—(Continued.)

Second Payment, December, 1853.

| | |
|---|-------------|
| Brought forward..... | \$8,336 64 |
| Warrant in favor of J. B. Leverich..... | 80 00 |
| " " J. L. Miller & Co..... | 97 00 |
| " " E. Bonnell..... | 234 94 |
| " " D. O'Meara..... | 365 00 |
| " " John G. Seely..... | 925 00 |
| | <hr/> |
| | \$10,028 58 |

Third Payment in December, 1853.

Bills of the Chief Engineer.

| | |
|--|------------|
| Repairs to hose carriages..... | \$428 56 |
| " Engines..... | 709 05 |
| " Hook and ladders..... | 126 00 |
| New hose..... | 236 30 |
| Fire signals..... | 8 50 |
| Cartage..... | 60 62 |
| Bell tower..... | 3 50 |
| Lanterns..... | 183 00 |
| Wheel-barrows..... | 22 00 |
| Iron and hardware..... | 265 35 |
| Working fire telegraph..... | 113 00 |
| Election for Assistant Engineers..... | 75 35 |
| Rent of house for use of Chief Engineer..... | 29 16 |
| Workmen's wages..... | 113 25 |
| Hose rivets..... | 157 94 |
| Axes, handles and wrenches..... | 191 00 |
| | <hr/> |
| Carried forward..... | \$2,722 58 |

BILLS OF CHIEF ENGINEER—(Continued.)

*Bills of Superintendent of Buildings relative to
Fire Department.*

Third Payment in December, 1853.

| | | | |
|-------------------------------|---------|----|------------|
| Brought forward..... | \$2,722 | 58 | |
| Repairs to engine houses..... | \$1,098 | 17 | |
| " Hose " | 931 | 24 | |
| " Bell towers..... | 415 | 35 | |
| " Hook and ladder co's... | 270 | 86 | \$2,715 62 |
| | | | <hr/> |
| | | | \$5,438 20 |

CONTRA.

CR.

| | | |
|------------------------------------|--------------|------------|
| Warrant in favor of B. B. Purdy .. | \$2,722 58 | |
| " " " | ... 2,715 62 | \$5,438 20 |

BUILDING STOCK FUND.

Paid on account of New Court House and Armory.

New Court House.

| | | | |
|----------------------|----------------------|-------------------------|----------|
| Warrant in favor of | Geo. R. Jackson..... | \$1,244 | 10 |
| " | " | Victor M. P. Lyon..... | 3 56 |
| " | " | Jas. Hughes..... | 303 00 |
| " | " | Hiram Purdy..... | 240 80 |
| " | " | Ennever & Charlock..... | 135 87 |
| " | " | Hiram Purdy..... | 132 00 |
| " | " | D. O'Meara..... | 239 57 |
| " | " | Jacob Eppenger..... | 238 00 |
| " | " | Geo. R. Jackson..... | 494 25 |
| " | " | Michael Toumey..... | 1,796 90 |
| Carried forward..... | | \$4,828 | 05 |

BUREAU OF REPAIRS AND SUPPLIES—(Continued.)

Third payment, December, 1853.

| | |
|--|-------------------|
| Brought forward..... | \$4,828 05 |
| Warrant in favor of E. Bonnell..... | 183 75 |
| " " Jas. L. Miller & Co..... | 933 13 |
| " " E. Bonnell..... | 423 38 |
| | <u>\$6,368 31</u> |

New Armory.

| | |
|--------------------------|-------------------|
| Jas. L. Miller & Co..... | 800 54 |
| Geo. R. Jackson..... | 760 69 |
| Jas. Hughes..... | 54 00 |
| Michael Tuomey..... | 148 04 |
| Ennever. & Charlock..... | 322 07 |
| Daniel O'Meara..... | 203 00 |
| Owens & Kettleman..... | 465 57 |
| | <u>\$2,753 91</u> |

*To fitting up poll rooms at the election in November, 1853,
at the several election districts.*

| | |
|--------------|-------------------|
| To paid..... | <u>\$1,048 46</u> |
|--------------|-------------------|

CONTRA.

CR.

| | |
|--------------------------------------|-------------------|
| Warrant in favor of B. B. Purdy..... | <u>\$1,048 46</u> |
|--------------------------------------|-------------------|

STREET PAVING DEPARTMENT.

First payment in December, 1853.

| | |
|----------------------|------------|
| To labor..... | \$3,681 81 |
| Affidavits..... | 11 38 |
| Carried forward..... | \$3,693 19 |

STREET PAVING DEPARTMENT—(Continued.)

First payment in Dec. 1853.

| | |
|--|-------------------|
| Brought forward..... | \$3,693 19 |
| Blacksmith's bill..... | 34 74 |
| Edmond Smith, for surveying C. market..... | 68 00 |
| T. O. Gorman, Inspector Essex market..... | 27 00 |
| | <u>\$3,822 93</u> |

CONTRA.

CR.

| | |
|---------------------------------------|-------------------|
| Warrant in favor of B. B. Purdy..... | \$3,681 81 |
| H. C. Banks, warrant in favor of..... | 11 38 |
| Patrick Burke, " | 34 74 |
| Edmond Smith, " | 68 00 |
| T. O. Gorman, " | 27 00 |
| | <u>\$3,822 93</u> |

STREET PAVING DEPARTMENT.

Third payment in December, 1853.

| | |
|------------|-----------------|
| Labor..... | <u>\$499 50</u> |
|------------|-----------------|

CONTRA.

CR.

| | |
|--------------------------------------|-----------------|
| Warrant in favor of B. B. Purdy..... | <u>\$499 50</u> |
|--------------------------------------|-----------------|

Russ Pavement.

| | |
|--|---------|
| John Makay, for inspecting Russ pavement in Whitehall street..... | \$18 00 |
|--|---------|

German Pavement.

| | |
|---|----------------|
| H. Bertholf, for inspecting pavement in Broadway, between Canal street and Franklin..... | \$18 00 |
| | <u>\$36 00</u> |

STREET PAVING DEPARTMENT—(Continued.)

Third payment in Dec. 1853.

| CONTRA. | CR. |
|-------------------------------------|---------|
| Warrant in favor of John Makay..... | \$18 00 |
| “ “ H. Bertholf..... | 18 00 |
| | <hr/> |
| | \$36 00 |
| | <hr/> |

CITY AND COUNTY OF NEW YORK, ss:—Bartholomew B. Purdy, Commissioner of Repairs and Supplies, being duly sworn, deposeth, that the foregoing account of the expenses of the Bureau of Public Buildings, Bureau of the Fire Department, Bureau of Roads and Avenues, and Bureau of Streets Paving, are just and true accounts of said Bureaux for, and on account of the Corporation of the city of New York.

B. B. PURDY,

Commissioner of Repairs and Supplies.

Sworn to before me, this 11th }
 day of January, 1854. }

ANDREW J. SMITH,

Commissioner of Deeds.

DOCUMENT No. 6.

BOARD OF ALDERMEN,

JANUARY 16, 1854.

The following resolution and ordinance relating to the Fire Department, was received. Laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

Whereas, The Fire Department of the city of New York is composed of nearly four thousand citizens, who devote their time and exertions to the public service, without any reward except the satisfaction derived from the faithful discharge of their duty as citizens. And

Whereas, This branch of the civil service possesses the capacity for government in itself, at least equal to that of the citizen soldiery, who are left in the free and full management and control of their own internal affairs. And

Whereas, The present system of administering the affairs of the Fire Department, through the Common Council, is

onerous to the latter body—interfering with its more legitimate business—has operated in experience unfairly and injuriously to the Department, greatly impairing its efficiency ; and the principle upon which the Department is deprived of the power of governing themselves by duly selected representatives, is one which should only be applied to subordinate mercenaries, and is derogatory to the character and dignity of the Department—and the time has arrived when the liberal and just policy of treating this Department as possessing the requisite faithfulness and character to be left to their own government, should be put into operation. Therefore be it

Resolved, That the annexed ordinance, providing for the separation of the management of the affairs of the Fire Department from the Common Council, be laid on the table, and printed, for the consideration of the Common Council, viz :

AN ORDINANCE,

CREATING A “BOARD OF FIRE DEPARTMENT COMMISSIONERS,” PRESCRIBING THEIR POWERS AND DUTIES, AND THE TIME AND MANNER OF THEIR ELECTION.

Be it ordained by the Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened :

SECTION 1. There shall be elected from among the exempt and active firemen of the city of New York, a “Board of Fire Department Commissioners.

§ 2. The said Board shall be composed of three persons from each of the eight sections of the fire districts of New

York, and three persons from that portion of the city known as the Twelfth Ward—two of the said persons from each district shall be exempt firemen, and the third, one of the active firemen of the city. Within twenty days after their election, they shall appear before the Chief Engineer and the President of the Fire Department, and shall draw, by districts for the term of one, two and three years, respectively, and thereafter shall be elected regularly for the term of three years.

§ 3. The Chief Engineer of the Fire Department shall be an ex-officio member of the said Board, and all its committees. He shall be entitled to a seat and a voice in all its deliberations, but in no case shall he be allowed to *vote* on any question or questions that may come before the said Board.

§ 4. The said Board shall receive petitions and communications on all subjects relating to the Fire Department, and take action thereon; they shall take cognizance of all matters calculated to increase the efficiency of the department, as well as the trial of cases of insubordination and violation of the ordinances of the city by any of the firemen, while acting in their capacity as such, and attend to such other matters, as will, in their opinion, conduce to the protection of life and property by the Fire Department.

§ 5. In all cases not requiring an appropriation of money from the public treasury, (except in the creation of new companies and an increase of force to the companies already organized) the decision of the Commissioners shall be final, and without appeal; where an appropriation is

needed, the decisions of the said Board shall be transmitted to the Common Council for confirmation or rejection.

§ 6. Immediately after the said Board shall have organized, the members thereof shall proceed to ballot for a clerk, and the person receiving the majority of all the votes cast, shall be declared elected such clerk for the term of three years. It shall be the duty of said clerk to attend all meetings of the Board, and keep a correct minute of the proceedings thereof; he shall have charge of the Firemen's Register, under the direction of the Board, and shall make all entries, changes, or amendments therein, as the Board may direct; he shall copy and transmit to the Common Council all decisions of the said Board necessary to be acted upon, as prescribed in section 5 of this ordinance, and attend to such other matters as may be required of him by this Board.

§ 7. The Chief Engineer of the Fire Department shall select a day upon which the first election, under this ordinance, shall be held, which said day shall be within thirty days after this ordinance shall have become a law. The election shall be held in the manner hereinafter prescribed :

1. The election of Commissioners shall be held in one day, the polls to be opened at sunrise and closed at sunset.
2. Every fireman doing duty in the city of New York, who shall have been an active member of the Department for ninety days previous to the election, shall be an elector, but entitled to vote only in the district wherein the company of which he is a member is located.

3. There shall be a poll in every section mentioned in section 2 of this ordinance.
4. A convention shall be held in each district prior to the election ; the same to consist of delegates, one from each fire company in the district ; said conventions shall proceed to appoint three Inspectors of Election, designate the places for holding the polls, provide the boxes, and make whatever necessary arrangements shall be requisite for holding the election.
5. Each elector shall vote only by ballot, and shall deliver the same in person to one of the Inspectors, who shall deposit said ballot in the box provided therefor ; each ballot on its face must contain a designation of the office, and the name or names of the person or persons to be voted for, and when folded, must be indorsed with the name of the office for which the elector desires to vote.
6. The Clerk of the Common Council shall furnish blanks to the officers of each company, to be returned to him three days before the election, with a list of all the members of the company doing active duty ; said returns shall be made under oath, and copies thereof shall be rendered by the Clerk of the Common Council to the Inspectors of the respective districts in which the companies are located.
7. In case only a majority of the Inspectors are present at the opening of the poll, the majority

may appoint an elector, to act until the third Inspector shall appear; and where only one Inspector is present, he shall appoint another elector, to act with him until one of those absent shall return.

8. Each box shall be provided with a sufficient lock, and shall be locked before the opening of the poll, and the key thereof delivered to one of the Inspectors present, and shall not be opened during the election; each ballot shall be deposited through an opening in the lid of the box, not larger than shall be sufficient for a single closed ballot to be inserted therein.
9. On closing the polls, the district Inspectors shall proceed to canvass the votes—such canvass shall be public, and shall not be adjourned or postponed until it shall have been fully completed; within twenty-four hours after closing the polls, the Inspectors of all the districts shall meet in one district, and proceed to canvass the total return, and present the same to the Common Council for confirmation.
10. Such person or persons as shall receive the greatest number of votes for the office of Commissioner, shall be declared elected; but in no-wise shall a Commissioner be elected, unless a resident of the district in which he is a candidate.

§ 8. All ordinances, or parts of ordinances, inconsistent with the above, are hereby repealed.

DOCUMENT No. 7.

BOARD OF ALDERMEN.

JANUARY 16, 1854.

The following communication from the Chief Engineer of the Fire Department, in answer to resolution, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

To the Hon. the Board of Aldermen:

GENTLEMEN :—In replying to the resolution adopted by your Honorable Body on the 5th instant, directing the Chief Engineer to report what fire companies are provided with apparatus and houses, and what companies are not supplied ; whether, in his opinion, there are not more companies organized in the city than is necessary, and if so, what companies could be dispensed with ; also the calibre of the engines now located in the seventh and eighth districts, and whether more powerful ones are not necessary, and if so, whether a union of two or more companies would add to the efficiency of the Department in that section of the city. Also any other information which may suggest itself to him, calculated to render the Fire Department more

efficient in the above named districts, I beg leave to state, that so far as relates to the condition of houses, it is out of my power to give any official information respecting them; formerly the *small* repairs to the houses were done under the superintendence of the Chief Engineer, who could then report their condition, &c.; it is now, however, in other hands.

Engine companies Nos. 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 38, 41, 42, 43, 44, 46, 48 and 49; hose companies Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54; hook and ladder companies Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9 and 11, as near as I am able to judge, have houses which are in good condition, or new ones are now building. The houses of engine companies Nos. 10 and 45, hose company No. 30, and of hook and ladder company No. 10, are in a dilapidated condition, but yet occupied by them.

The apparatus of all the above companies is in good order, or new ones are contracted for, except engines Nos. 20 and 36. No. 20, located in the lower districts, should be supplied with a new one as soon as possible.

Engine companies Nos. 3, 27, 36, 37 and 40; hose companies Nos. 32, 55 and 56, and hook and ladder companies Nos. 12 and 13, have no locations, except that engines Nos. 36 and 37, and hose companies Nos. 55 and 56 are doing duty from temporary houses. Engine No. 39 has no house except a temporary one, but by a resolution of

the late Common Council, one was directed to be built in Thirty-first street, near Seventh avenue, and the engine now used by No. 9 appropriated to their use.

Hose company No. 5 and hook and ladder company No. 6, occupy the lower part of the building known as Firemen's Hall, in Mercer street. As the hall is to be rebuilt, they will of course, be out of service, as soon as the present building is demolished; this will, doubtless, be very soon. I understand, however, that provision is made for their accommodation in the new hall, but as some time must necessarily elapse before a building of the magnitude of the one contemplated can be completed, it is desirable that a temporary location be provided, particularly for the hook and ladder company. Locations should also be provided for hook and ladder companies Nos. 12 and 13; as soon as possible as they are much needed.

That more companies have been organized than are necessary, certainly is the case. If your Honorable Body should think proper to dispense with any, those not provided with locations could be as well spared as any others, except the hook and ladder companies mentioned; and also perhaps engines Nos. 27, 37 and 39. There are none too many hook and ladder companies, even when all are in active service, and the three engine companies alluded to are placed far up town where, from the growth of the city in that direction, they are more and more required every day.

The hydrant companies are of very little service, and might be dispensed with without detriment to the Department; at any rate, Nos. 1, 2 and 3, with ten men each,

is certainly sufficient for all practicable purposes ; at present there are four hydrant companies organized, and I have received a resolution directing me to organize No. 5, for the Sixth district, which, if done, will make three for that district, viz: Nos. 2, 4 and 5 ; with a view, therefore, to await the action of your Honorable Body on the subject, I have declined to receive the return for the organization of said company, until an opportunity for that action can be had.

A resolution was also adopted by your predecessors, directing me to organize hose company No. 60, although there are none numbering higher than 56. I shall also decline receiving this return (if offered), until action is had by your Honorable Body in reference thereto.

During the past year, several extremely violent fights have occurred between companies ; pistols, and other dangerous weapons, have been brought in requisition, the apparatus upset, and nearly destroyed ; the worst of which, were between engine companies Nos. 6, 18 and 44, and hose companies Nos. 16 and 17 ; yet, no punishment has been awarded (except that No. 18 was suspended for three months), although the facts were duly reported to the Common Council, who, instead of investigating the circumstances, allowed the matter to lie for several months, and then adopted a resolution, directing the Chief Engineer to return the apparatus which he had taken from them. If these acts of insubordination should receive proper attention from your Honorable Body (and I feel assured they will hereafter), and the persons who are found guilty of any serious offence be expelled forthwith, disbanding the companies to which they are attached, and transferring innocent members to other companies, you will not

only reduce the number of companies to what it should be, and rid the Department of the persons who have been placed therein only to bring reproach upon it, but materially augment the force of the remaining companies.

Another serious detriment to the Department, has been the increasing of the number of men in some companies, whilst others in the vicinity have scarcely half the complement.

In the resolution adopted, I am directed to report the calibre of the engines in the lower districts, and give my opinion as to the practicability of procuring larger ones, and uniting the companies.

At present there is but one first class engine, viz : No. 38, being $9\frac{1}{2}$ inch cylinder ; four second-class, Nos. 14, 21, 22 and 42 ; and three-third class ; Nos. 5, 13 and 20 ; Nos. 14, 21 & 42 are each $8\frac{1}{2}$ in. cylinder ; No. 22, 8 in. ; Nos. 13, 7, & Nos. 5 & 20, each $6\frac{1}{2}$ inches. Formerly there were three powerful engines in these districts, known as first class, viz : Nos. 22, 38 and 42. No. 22 petitioned some three years since for a second class piano engine, which was given them, and no place being provided for the old one, it was sold. No. 42 recently asked for, and received a second class engine. The old one—a very powerful engine of ten inch calibre—is stored in the house formerly occupied by hook and ladder company No. 2, in Beaver street, to be used as a reserve.

The complement of men allowed to each company is as follows :

Engine No. 38, (first-class Philadelphia style) $9\frac{1}{2}$ inch cylinder..... 60 men.

No. 22, (second class piano,) 8 inch cylinder.... 50 men.
No. 42, (second-class piano,) $8\frac{1}{2}$ inch cylinder.... 50 men.
No. 14, (second-class Philadelphia,) $8\frac{1}{2}$ inch cyl.. 70 men.
No. 21, (second-class Philadelphia,) $8\frac{1}{2}$ inch cyl.. 70 men.
No. 5, (third-class New-York style) $6\frac{1}{2}$ inch cyl. 40 men.
No. 13, (third class N. Y. improved), 7 inch cyl. 40 men.
No. 20, (third-class N. Y. improved,) $6\frac{1}{2}$ inch cyl. 40 men.

It will be perceived, that this allotment of men is out of all proportion, the first-class Philadelphia engine having ten men less than the second-class engines of the same style. This has been done by means of special resolutions granting additional men to the companies so favored, not only in these districts, but also in other parts of the city—thus giving one company an undue advantage over others in the vicinity.

On the 16th October, 1852, a resolution was adopted by the Common Council as follows : (previous to which hook and ladder companies were allowed thirty men, and all second class engines fifty men.)

Resolved, That hook and ladder companies be, and they are hereby allowed forty men, and all engine companies, having the second-class Philadelphia engines in use, to increase to sixty men, and that the Chief Engineer accept the returns from such companies accordingly.

Subsequently to the adoption of this resolution, others have been adopted, by which, as above stated, there is no regularity on the subject of the complement of men to the different class engines. I would respectfully suggest the adoption of an ordinance, fixing the number of men as follows :

| | | |
|---|----|------|
| First class engines, (9 inch cylinder and upward) | 60 | men. |
| Second " (8 " " under 9,) | 50 | " |
| Third " (all under 8 inches)..... | 40 | " |
| Hose companies | 25 | " |
| Hook and ladder companies..... | 40 | " |
| Hydrant companies, (if any)..... | 10 | " |

By the adoption of this, and directing the Chief Engineer to receive no returns of new members in place of resignations for companies intended to be reduced, until the number shall comport with the ordinance, or what would be still more preferable, to transfer the number above the complement, that may be in any company, to such other companies as they may designate, (giving them a reasonable time to do so) those who refuse to so designate a company to which they wish to be transferred, to be removed from the department, taking those last appointed in the company, the department would become equalized more effectually, and first class engines become more popular from the number of men allowed, than they could be by uniting two or more companies as suggested in the resolution of your Honorable Body ; and I would recommend that no other than first class engines be built for companies located in those districts when the size of the house will permit.

The Department has been much embarrassed during the past year, from an insufficient supply of hose. At the commencement of the year 1852, (two years since,) I made a requisition on the Commissioner of Repairs and Supplies, for twenty thousand feet of hose, that officer duly presented the claim to the Common Council, who authorized the Commissioner to advertise for proposals for ten

thousand feet, (just half the complement,) this was furnished, but was totally inadequate to supply each company then in the department, and many new ones have since been established. One year since, I applied for fifteen thousand feet, not a foot of which has been furnished, and the consequence is, that the hose (very deficient in quantity) is in a most wretched condition.

Some few weeks since, ten thousand feet were ordered, none of which, however, has been supplied. Subsequently a resolution was adopted, to supply twenty thousand feet, but to which resolution was coupled a provision which virtually negatived it. This provision was, that they be subject to a test of three hundred pounds to the square inch; any one, at all conversant with the strength of leather, must be aware that it is utterly impossible to obtain any that would stand any thing like this pressure, indeed it would require pretty good iron to do so. The Croton Board only require their four-inch iron pipe to stand a pressure of three hundred pounds.

The hose made by contract is not generally to be depended on, it is true, but to make it subject to a heavy pressure as a test, I should object to, as much of that which apparently stood the test would be so strained as to be ruined. The true plan to obtain good hose, in my opinion, is to purchase the leather and rivets of the proper quality, and have it made up in the public yard. The labor of making hose is comparatively trifling, the principal object being to reject such leather as is unfit for use instead of putting it in such places as can best be hid from the eye. One man would perform all the labor necessary in making hose for the whole department.

The supply, or rather the force of water is daily becoming less, and it is not sufficient to supply a second class engine at the present time: that a remedy must be applied to increase the quantity and force before long, is certain, and I would urge upon your Honorable Body, the necessity of early action in the matter. For the remedy I beg leave to refer to the following extract from the Annual report of the Chief Engineer, September 1st, 1852:

“I shall make no recommendations in this report nor even further discuss the important subject of divorce with you, referring you to my past documents as the basis of any favorable legislation you may vouchsafe to the Fire Department.

“But there are two or three matters of such vital importance to the half million of souls for whom you were elected to legislate, that I should consider myself deeply reprehensible if I did not call your most serious attention, as well as the public at large, to their immediate consideration. I allude to frozen hydrants, and to the scarcity and waste of water. I would have called your attention to these matters last winter, but the severity of the weather was so unceasing, the hydrants were so generally frozen, and the water was so scarce, that I did not deem it prudent to discuss them, lest the incendiaries might take undue advantage of it, and fire the city at several points at the same time. But this being a more auspicious season for their consideration, I will now partially disclose the peril of the city during the past winter, and recommend efficient remedies. * * * * *

"Inasmuch as the pipes on the High Bridge have not the capacity to supply the city with sufficient water, I would recommend that its side walls be carried up and arched, to the height of the aqueduct, and that two lines of pipe, of the capacity of the aqueduct, be laid on the arch, the present pipes to remain precisely as they are. By connecting the new pipes to either side of the aqueduct, just above its terminus, by placing a coffer-dam in the aqueduct, the whole work can be effected without depriving the city of the present supply of water.

"The entire work, if commenced immediately and prosecuted with uncommon energy, might be completed by December. Until this be effected, I would earnestly request our citizens to exercise the most rigid economy in the use of water. And to utterly check the immense waste of water by inconsiderate persons connected with the shipping and steamboats, and to entirely prevent its waste by the public fountains, I would propose that the basins of the fountains be enlarged, and that pipes be laid from each to the rivers, with hydrants on the docks, from which to enable the shipping and steamboats to obtain their supply. The fountains could then play daily for the gratification of citizens and strangers, without any waste of water."

Every citizen should carefully read the following extract, from the last annual report of the Croton Aqueduct Department—Board of Aldermen, Doc. No. 81 :

"The construction of the reservoir itself is a matter that may or may not be deferred, as the wisdom of the Common

Council shall determine, in view of all the circumstances connected with it.

“It was stated in the last annual report from this department, and the fact remains unaltered, that ‘the last drop of water which the works, in their present state, can supply, is now daily delivered in this city.’ It follows, therefore, that if the proposed reservoir was now built, it could not be filled, and would remain a useless structure till such alterations and additions were made on the line above it as would enable the department to deliver an increased quantity of water daily.

“It has not been the policy of the present Board to review and criticise the acts of their predecessors in office, nor would it now do so, if the subject under discussion did not render it necessary. A grave error has been committed in the means of getting the water over Harlem river. While the most liberal and enlarged views were adopted in the construction of the aqueduct down to that point, its capacity being more than equal to the whole flow of the Croton river at an average stage of its water, and capable of delivering daily more than sixty millions of gallons; to cross the river, two lines of three feet iron pipes were laid in the form of an inverted syphon, limiting the supply to half the quantity last named, and to make the syphon do that work, losing a head of two feet, which had been maintained at great cost, by bridges and embankments, through a distance of thirty-three miles. Had the High Bridge been carried up to the line of the aqueduct, an additional height of fourteen feet, for which it cannot be doubted the piers

are abundantly strong, the masonry of the aqueduct proper could have been continued over it, and the bridge itself protected from the danger of leakage by a metal lining of the aqueduct, as at Sing Sing kiln and Clendenning valley, thus pouring upon our own island the whole volume of the Croton river, at an elevation above tide water of one hundred and seventeen instead of one hundred and fifteen feet.

“It is presumed that a saving in the cost of the structure was probably the controlling motive in adopting the plan as it now stands. This saving may have been equal to a hundred thousand dollars, and perhaps rendered imperative by the then existing state of the funds applicable to that object; but if so, it would not form an excuse for placing on that bridge the two lines of small pipes now occupying it, in view of the then admitted fact, that a few years would prove them unequal to furnish the required supply of water to the city, and force upon it the necessity of taking them up and substituting others of larger size, or of continuing the aqueduct itself over the bridge, in the manner above suggested.

“That time seems already to have arrived; for one of these works must precede the construction of the proposed reservoir, to make it of any value. In this connection, also, additions must be made to the works through Manhattan valley, by laying down two more lines of three feet pipes. These will be in part furnished by those taken up at the bridge, should it be determined to continue that mode of conveying the water across.

"It will readily be seen that the alterations and additions indicated involve not only a large amount of money, but difficulties and responsibilities which this Board would greatly prefer not to encounter. The taking up and relaying of the pipes on the bridge would be at any time, and under the most favorable circumstances, a formidable undertaking ; but to do it now, and keep up a supply of water for all domestic and manufacturing purposes, while the work shall be in progress, adds immeasurably to those difficulties, and furnishes strong reasons in favor of constructing the aqueduct over it, and leaving the pipes upon it undisturbed."

The alarm bell on Jefferson market tower was cracked on the 11th of June, 1853. I immediately communicated the fact to the Commissioner of Repairs and Supplies, who as the bell was warranted by the contractors (Messrs. Meneely & Sons, of West Troy,) for one year, and as that time had not elapsed, directed me to communicate the fact to them. This was done ; and several communications passed between us, they promising to furnish another bell. Finding the promise was not fulfilled after some time had elapsed, and having done all I could in the matter, I again placed the same in the hands of the Commissioner, where it still remains.

I trust that the necessary measures will be adopted to place a bell in this tower without delay, as it is much required.

In concluding this communication, I would suggest the propriety of the subject matter herein contained being referred to a committee of your Honorable Body, and that

they be requested to visit and examine the houses and apparatus of the department, and recommend such changes as they may deem expedient.

Respectfully submitted,

ALFRED CARSON,

Chief Engineer.

CHIEF ENGINEER'S OFFICE, }
January 16, 1854. }

DOCUMENT NO. 8.

BOARD OF ALDERMEN,

JANUARY 16, 1854.

The following annual report of the Street Commissioner, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

STREET DEPARTMENT, }
January 12, 1854. }

To the Honorable Common Council :

GENTLEMEN :—In accordance with the requirements of the City Charter, I herewith respectfully submit a report of the operations of this department, for the past year ; together with such suggestions as seem to me requisite to be brought to your attention.

The number of ordinances and resolutions, directing the action of this Department, passed by the Common Council, in relation to improvements on streets, piers, &c., is three hundred and eighty-four.

A statement of the titles and description of contracts unfinished is attached hereto.

The number of permits granted to build vaults, is two hundred and fifty-four.

The amount of money received for that purpose, and deposited in the city treasury, is sixteen thousand seven hundred and thirty-four dollars and forty-eight cents.

The amount collected by Collector of Assessments, as appears from his statement annexed, is nine hundred and fifty-one thousand three hundred and sixteen dollars and forty cents, which will sufficiently show the arduous nature of the duties of that bureau.

The reports to me, of the different bureaux under this Department, are annexed.

The Superintendant of side-walks has heretofore been limited in his powers to enforce the ordinance in relation to repairs of side-walks, and curb and gutters.

By an ordinance adopted December 31, 1853, the Street Commissioner has authority, on complaint being made, to serve a notice on the delinquent parties, and to cause repairs to be made at their expense, and in default, to report to the Corporation Attorney. The enforcement of this ordinance will obviate further complaint from that source.

The obstructions on streets and on piers have been the cause of great and justifiable complaint ; under the existing ordinance, the Street Commissioner may notify and require

persons making nuisances to remove them, but he has no power to insist where an expenditure of money is required; that power being invested in the Superintendent of Streets.

The improvement and embellishment of the public grounds have received due attention from the officer in charge.

The wharves, piers and bulkheads have also received the attention and supervision their importance demands. I would suggest that the wants of the upper sections of the city, on both rivers, requires additional pier accommodations, more particularly for the purpose of landing building materials.

The expenditures on Trust and City Account under this Department, for the year 1853, are :

| | |
|---|-------------|
| Battery enlargement..... | \$21,174 00 |
| Cleaning Corporation docks and slips..... | 2,440 00 |
| Lands purchased for Assessments..... | 77,911 72 |
| Lands and Places..... | 14,600 00 |
| Roads and Eighth avenue..... | 9,982 92 |
| Real estate expenses..... | 49,893 50 |
| Removing sunken vessels..... | 1,635 00 |
| Docks and slips, " new work,"..... | 126,067 00 |
| do do "Repairs,"..... | 36,500 00 |
| Moneys refunded on assessment sales..... | 19,678 69 |
| Charges on arrears of assessments..... | 5,561 07 |
| Fencing vacant lots..... | 213 53 |
| Closing assessment contracts..... | 4,793 09 |
| Interest on assessments..... | 29,867 77 |

| | |
|--|-------------|
| Liens' on lots..... | \$21,510 43 |
| Streets opening..... | 247,384 00 |
| Streets paving and assessment contracts..... | 943,101 95 |
| Wells and pumps..... | 905 13 |

An act was passed by the last legislature defining the limits of certain grounds to be taken for public parks ; previous to the passage of that law contracts had been made for regulating &c., several streets and avenues included therein. I have deemed it expedient to stop the further progress of the contractors for the present.

An ordinance was passed by the Common Council, November 15, 1853, to regulate, regrade and set curb and gutter in the Third avenue, from Forty-fourth to Sixty first street ; also, to regulate and grade the Third avenue, from Sixty-first to Eighty-second street, but the state of the season is such as to preclude the possibility of prosecuting the work ; and I have therefore deferred letting the contracts until the spring opens.

The plan of grades of avenues and streets, as far as One hundred and thirty-third street, have been confirmed by the Common Council, and are therefore established. I would call your attention to the expediency of extending the same to the limit of the island, with a permanent line for Harlem river, and an addition to the city map for that purpose, in conformity with a resolution passed by the Common Council, June 13, 1851, and that the requisite appropriation to meet the expense be made therefor.

From a comparison of the expenditures on account of

Docks and Slips, "new work," and Docks and Slips, "repairs," for the years 1852 and 1853, it will be observed that they have been greatly reduced during the last year.

| | |
|---|--------------|
| Amount expended on account of Docks and | |
| Slips, "new work," 1852..... | \$249,986 29 |
| Amount expended on account of Docks and | |
| Slips, "new work," 1853..... | 126,067 00 |
| Amount expended on account of Docks and | |
| Slips, "repairs," 1852..... | 45,000 00 |
| Amount expended on account of Docks and | |
| Slips, "repairs," 1853..... | 36,500 00 |

The regulation of grading of the Second avenue, from Ninety-third to One hundred and twenty-third street, being the upper section is finished; the two lower sections are as rapidly approaching completion as the nature of the work will admit; and I confidently trust that the whole avenue will be open for travel by the first of June next.

The extension of Canal and widening of Walker street, having been confirmed by the Supreme Court, and the actual opening having been ordered by the Common Council to take place on the first day of May next. I shall conceive it my duty to see the same carried into effect.

The widening of Beekman street is nearly completed. An ordinance has been passed to repave the street, which will be put under contract as soon as the weather will permit.

Excavations for vaults, from which the city should derive a revenue, are constantly being made, without

authority or permission from this Department. A resolution was passed by the Common Council, October 29, 1852, directing the Captains of Police to report to the Street Commissioner, on Monday of each week, all openings made in streets for any purpose whatsoever. Its object was to bring parties offending against the ordinances, in not taking the required permit, and paying for the same, under the cognizance of this Department, when it would bring it to the notice of the Corporation Attorney. This resolution has not heretofore been complied with.

All of which is respectfully submitted,

JAMES FUREY,
Street Commissioner.

CONTRACTS NOT COMPLETED.

Grading 49th street, 5th avenue to East river.

Grading 2d avenue, 53d to 86th street.

Reg. and curb and gutter, 51st st., East to Hudson river.

Reg. and grading 59th street, 5th avenue to Broadway.

Regulating 8th avenue, 84th to 108th street.

Regulating 70th street, 10th avenue to Hudson river.

Reg. and curb and gutter, Lexington avenue, from 50th to 57th street.

Reg. 50th st., from 5th to 7th avenue.

Reg. and Macadamizing 69th, 70th and 71st streets, from 7th to 8th avenue.

Regulating 48th street, from 4th to 5th avenue.

Regulating 55th street, from 9th avenue to Hudson river.

Regulating 55th street, from 5th to 6th avenue.

Reg. curb and gr., and flag. 40th st., from 9th to 10th ave.

Regulating 56th street, from 3d avenue to East river.
Regulating 36th street, from 3d avenue to East river.
Regulating 44th street, from 1st avenue to East river.
Regulating 46th street, from 8th avenue to Broadway.
Regulating 123d street, from 3d avenue to Avenue A.
Regulating 2d avenue, from 28th to 53d street.
Regulating 90th street, from 4th to 5th avenue.
Paving and flag. 38th st., from 11th ave. to Hudson river.
Regulating 52d street, from 4th avenue to East river.
Regulating 43d street, from 3d to 5th avenue.
Regulating 48th street, from 10th avenue to Hudson river.
Regulating 7th avenue, from 59th to 72d street.
Regulating 7th avenue, from 45th to 59th street.
Regulating 84th street, from 2d to 3d avenue.
Regulating 63d street, from 8th to 9th avenue.
Regulating 47th street, from 3d to 8th avenue.
Regulating 56th street, from 5th avenue to Broadway.
Regulating 59th street, from 8th to 10th avenue.
Regulating and flagging 41st st., from 4th to 5th avenue.
Regulating 47th street, from 3d avenue to East river.
Regulating 48th street, from 3d avenue to East river.
Regulating 46th street, from 5th avenue to East river.
Regulating 5th avenue, from 42d to 49th street.
Regulating 63d street, from 5th to 6th avenue.
Regulating 52d street, from 11th avenue to Hudson river.
Regulating 54th street, from 1st to 5th avenue.
Regulating and paving 10th avenue, from 45th to 55th st.
Regulating and flagging 6th avenue, from 42d to 49th st.
Regulating and flagging 53d st., from 6th av. to Broadway.
Regulating and flagging 53d street, from 3d av. to 6th av.
Regulating and flagging 34th street, from 8th to 9th av.
Regulating and flagging 36th st., from 10th av. to H. R.

Flagging 5th avenue, from 34th to 42d street.

Cross-walks at 125th, 126th, 127th, 128th and 129th sts.,
and 3d, 4th and 5th avenues.

Regulating and paving 10th av., from 33d to 45th street.

Macadamizing 7th avenue, from 59th to 72d street.

Regulating Lawrence street, from 126th to 129th street.

Regulating and flagging 41st street, from 10th to 11th av.

Regulating 57th street, from 5th avenue to Broadway.

Regulating 78th street, from 3d to 5th avenue.

Regulating and flagging 51st street, from 3d to 6th av.

Regulating 86th street, from Broadway to Hudson river.

Regulating 79th street, from 10th avenue to Broadway.

Regulating 39th street, from 2d to 3d avenue.

Regulating curb and gutter, and flagging 45th street, from
5th avenue to Broadway.

Paving and flagging 36th street, from 8th av. to Broadway.

Regulating 55th street, from 3d avenue to avenue A.

Paving and flagging 41st street, from 6th av. to Broadway.

Reg. and Macadamizing 71st st., from 6th to 7th avenue.

Paving and flagging 37th street, from 2d to 3d avenue.

Regulating 118th street, from 3d avenue to Harlem river.

Enlargement of the Battery.

Regulating and paving 34th street, from 8th to 9th av.

Regulating 6th avenue, from 57th to 86th street.

Pier, foot of Charlton street, North river.

Pav. and curb and gutter in 8th st., from Lewis to East R.

Pier foot of King street, North river.

Reg. Lexington avenue, from 48th to 50th street.

Protection walls on 2d avenue.

“ “ on 54th street, between 2d and 5th av.

NEW YORK, January 11, 1854.

JAMES FUREY, ESQ.,

Street Commissioner.

DEAR SIR :—I herewith present a statement of the transactions of the Bureau of Wharves, for the past year. On my appointment to office in January, 1853, I directed my attention to placing the piers in a fit condition for business purposes; many of them were very much out of repair, and it was found necessary to employ the requisite number of men to put them in good order.

All the Corporation piers are now in repair, excepting, perhaps, those which have been leased to individuals, and who, by the terms of the leases, are compelled to keep them in order, at their own expense. Few, if any complaints have been made during the past year.

Since the commencement of my term of office the following piers have been built, rebuilt, or extended, under my supervision :

Pier No. 20, foot of Fulton street, North river, extended.

Pier No. 54, foot of Perry street, North river, extended.

Pier foot of Leroy street, North river, new pier.

Pier foot of 13th street, North river, half Corporation.

Pier foot of 20th street, North river, new pier.

Pier foot of 22d street, North river, new pier.

Bulkhead, between piers Nos. 20 and 21, North river.

Block, foot of 131st street, Manhattanville, new.

Pier No. 29, East river, extended, and inner part rebuilt.

Pier No. 25, East river, rebuilt.

Bulkhead, foot of Catharine street, East river, new.

I would recomend for your consideration, that the following named piers be rebuilt and extended, or otherwise improved :

Inner part of pier No. 2, East river, to be rebuilt.

Pier No. 30, East river, to be rebuilt and extended.

“ 31, “ “ “ “

“ 23, North river, rebuilt.

“ 52 and 53, North river, rebuilt and widened on the inner part.

Pier No. 54, North river, widened and rebuilt.

“ 55, “ rebuilt and extended.

I would respectfully ask your attention to the subject of building new piers on the East river. Justice to the tax-paying citizens, as well as to the fast increasing business interest of that portion of the city, demands that some consideration should be given to them ; also, accommodating and affording greater facilities to our shipping.

I would therefore recommend that the following piers be built or extended :

Pier foot of Third street, East river, to be built.

“ “ Fourth “ “ “

“ “ Fifth “ “ to be extended.

“ “ Sixth “ “ to be built.

Very respectfully, &c.,

[Signed]

ROBERT EARLE,
Superintendent of Wharves.

NEW YORK, January 11, 1854.

JAMES FUREY, ESQ.,

Street Commissioner:

SIR :—I herewith submit a report of the operations of the Bureau of Lands and Places for the past year.

GENERAL STATEMENT OF WORK PERFORMED ON THE VARIOUS PARKS
AND PUBLIC GROUNDS.

BATTERY.

Regulation of walks.

Removal of dead and diseased trees.

Painting liberty pole, and furnishing new halliards.

Flagging walks, &c.

CITY HALL PARK.

Laying out grass plots.

New posts and chains, and painting old posts and chains.

Planting trees and shrubs.

Spading up grass plots.

Regulating and graveling walks.

Repairing and reflagging walks.

FIVE POINTS SQUARE.

Laying out new park.

New railing.

New Keeper's house.

Painting do.

DUANE STREET PARK.

General regulation, &c.

BOWLING GREEN PARK.

General regulation, &c.

BEACH STREET PARK.

General regulation, &c.

UNION PARK.

General regulation, &c.

New seats.

Repairs to iron gates.

ABINGDON SQUARE.

General regulation, &c.

Repairs to railing, &c.

WASHINGTON SQUARE.

Removal of dead and decayed trees.

General regulation of the walks.

Repairs to gates, chains, &c.

New seats, &c.

STUYVESANT PARK.

Ploughing up.

Removal of stone and rubbish.

Filling in with mould.

Laying out grass plots.

Regulation of walks and planting trees, &c.

BROADWAY AND FIFTH AVENUE PARK.

General regulation.

Repairs to railing, &c.

TOMPKINS SQUARE.

Removal of decayed trees.
General regulation of walks.
Repairs to gates and railing.
Planting trees, &c.

MADISON SQUARE.

Filling in walks.
New borders.
Planting trees and shrubs.
Repairs to gates and railing, and painting.
New seats.
General regulation.

CHRISTOPHER AND FOURTH STREET PARK.

General regulation, &c.

MARKET SQUARE, HARLEM.

Laying out park, and filling in with mould.
Regulation of walks, grass plots and flower beds.
Planting trees and shrubs.
Erection of a fountain.
New gates and railing, and painting same.

Very respectfully submitted,

[Signed]

JOSEPH MURPHY,

Sup't. Lands and Places.

OFFICE BUREAU OF ASSESSMENTS, }
January 5. 1854. }

JAMES FUREY, Esq.

SIR:—In compliance with your request, the undersigned officers in the Bureau of Assessments, respectfully present

the following—being the work upon which assessments have been made by us, and confirmed by the Common Council, from the 1st day of January, 1853, to the 31st day of December of the same year, viz :

Flagging Twenty-fourth street, between Fifth and Sixth avenues.

Regulating, and curb and gutter, Thirty-fourth street, between Second and Fourth avenues.

Well and pump in Fifty-third street, between Fourth and Lexington avenues.

Filling lots, First avenue and Avenue A, and Twentieth and Twenty-first streets.

Fencing lots, Twenty-ninth and Thirtieth streets, and Third and Lexington avenues.

Flagging Pike street, from East Broadway to Division street.

Reflagging, and resetting curb and gutter stones in Franklin street.

Reflagging, and resetting curb and gutter stones in Leonard street.

Flagging Division street, between Norfolk and Suffolk streets.

Flagging Fifth avenue, between Twenty-eighth and Twenty-ninth streets.

Flagging Twenty-ninth street, between Fourth and Lexington avenues.

Flagging Thirty-first street, between Sixth and Seventh avenues.

Flagging Broadway, from No. 865 to Eighteenth street.

Flagging Twenty-second street, between Fifth and Sixth avenues.

Flagging north-west corner of Eighth avenue and Eighteenth street.

Flagging Thirty-seventh street, between Seventh and Eighth avenues.

Regulating One hundred and nineteenth street, from Second avenue to Harlem river.

Reflagging, and resetting curb and gutter stones in Canal street.

Sewer in Nineteenth street, from Eighth avenue to one hundred feet east of the Seventh avenue.

Paving Thirty-eighth street, between the Second and Third avenues.

Paving Forty-ninth street, between the Eighth and Ninth avenues.

Regulating Eighty-third street, between Third and Fifth avenues.

Regulating, and curb and gutter in Forty-seventh street, from Tenth avenue to the Hudson river.

Fencing Twenty-eighth street, between Fifth and Madison avenues.

Fencing Ninth and Tenth streets, west of Avenue A.

Regulating Thirty-seventh street, from Second avenue to East river.

Paving Eleventh avenue, from Twenty-fifth to Twenty-seventh street.

Sewer in Thirty-fifth street, from Fourth to Madison avenue.

Regulating, and curb and gutter, Tenth avenue, from Thirty sixth to Forty-second street.

Regulating, and curb and gutter, Broadway, from Forty-sixth to Fifty-first street.

Paving Sixth avenue, from Thirty-fourth to Forty-second street.

Flagging, and curb and gutter, Eighty-fifth street, between Third and Fourth avenues.

Sewer in Orange street, between Walker and Grand streets.

Flagging Twenty-fifth street, between Seventh and Eighth avenues.

Regulating, and curb and gutter, Twenty-ninth street, between First and Second avenues.

Paving Thirty-sixth street, between Fourth and Fifth avenues.

Curb and gutter, and regulating side-walks of Franklin street, from Cortlandt alley to Elm street.

Sewer in Chambers street, from Broadway to Greenwich street.

Flagging Twenty-seventh street, between Eighth and Ninth avenues.

Flagging Twenty-ninth street, between Third and Lexington avenues.

Regulating and regrading Greenwich, Washington, and other streets.

Fencing lots between Broadway and Sixth avenue, Twenty-fourth and Twenty-fifth streets; and between Fourth and Madison avenues, and Thirtieth and Thirty-first streets.

Reflagging, and resetting curb and gutter in Thomas street.

Reflagging, and resetting curb and gutter in Hoboken street.

Sewer in Division street, from Clinton to Gouverneur street.

Regulating Forty-fifth street, from Third to Fifth avenue.

Regulating Thirty-fourth street, from Broadway to Eighth avenue.

Paving Ninth avenue, from Forty-third to Forty-fifth street.

Flagging One hundred and twenty-fifth street, between Fourth and Eighth avenues.

Sewer in Tenth avenue, from Thirty-first to Thirty-third street, and through Thirty-third street to Ninth avenue.

Well and pump in Fifty-fourth street, between Ninth and Tenth avenues.

Well and pump in Forty-sixth street, between Second and Third avenues.

Fencing Madison avenue, between Twenty-sixth and Twenty-seventh streets, and Twenty-seventh street, between Fourth and Fifth avenues.

Regulating One hundred and twentieth street, from Third avenue to Harlem river.

Regulating and Macadamizing Broadway, Fifty-first to Fifty-ninth street.

Regulating Sixty-second street, from Seventh to Eighth avenue.

Cross-walk in Grand and Lewis streets.

Well and pump in Fifty-seventh street, between Broadway and Seventh avenue.

* Sewer in Elizabeth street, from Houston street, to No. 226 Elizabeth street.

Sewer in Duane street, from City Hall place to Chatham street.

Sewer in Greenwich street, from Vandam to Charlton street.

Fencing north-west corner of Thirty-first street and Lexington avenue.

Flagging, and curb and gutter in Forty-fifth street, between Second and Third avenues.

Paving and flagging in Thirty-eighth street, from Tenth to Eleventh avenue.

Sewer in Thirty-ninth street, between Third and Lexington avenues.

Paving Forty-fourth street, from Tenth to Eleventh avenue.

Sewer in Eighteenth street, from Seventh to Ninth avenue.

Sewer in Avenue A, from Fourteenth to Sixteenth street.

Cross-walk in Pine and Front streets.

Flagging Broadway, from Thirty-sixth to Thirty-seventh street.

Sewer in Mulberry street, from Grand to Hester street.

Paving Cherry street, from Corlears to East street, and east from Cherry to Grand street.

Sewer in Fourth avenue, between Twenty-fourth and Twenty-sixth streets.

Sewer in Bayard street, from Orange street to Bowery.

Regulating and paving Forty-fourth street, from Third to Fifth avenue.

Regulating, curb and gutter, and Macadamizing Forty-ninth street, between Sixth and Eighth avenues.

Flagging Thirty-fourth street, between Ninth and Tenth avenues.

Regulating, and curb and gutter in Thirty-seventh street, from Second to Third avenue.

Regulating and curb and gutter in Forty-fifth street, from Tenth to Eleventh avenue.

Regulating, curb and gutter, and flagging Eleventh avenue, from Forty-third to Forty-eighth street.

Well and pump in Eighty-third street, between Fourth and Fifth avenues.

Paving Nineteenth street, from First to Second avenue.

Flagging Twenty-ninth street, between Second and Third avenues.

Sewer in Thirty-fifth street, from Eighth to Ninth avenue.

Flagging South street, between Pike and Market slip.

Receiving basins, corner South and Market streets.

Flagging Rutgers street, between Monroe and Cherry streets.

Paving Eleventh avenue, from Forty-third to Forty-eighth street.

Paving Thirty-sixth street, from Seventh to Eighth avenue.

Flagging Second street, from First avenue to Avenue A.

Flagging Twenty-fourth street, from Third to Lexington avenue.

Regulating Forty-fifth street, from Second avenue to East river.

Sewer in Laurens street, from Bleecker to Amity street.

Paving Stanton street, from Mangin street to East river.

Sewer in Madison street, from Jefferson to Rutgers street.

Receiving basins, corner Fourteenth street and First avenue.

Receiving basins, corner Twenty-second street and Third avenue.

Paving Thirty-eighth street, from Eighth to Ninth avenue.

Paving Mangin street, from Rivington to Stanton street.

Regulating, and curb and gutter in Fortieth street, from Tenth avenue to Hudson river.

Sewer in Fifteenth street, from Avenue A to Avenue C.

Sewer in Hester street, from Essex to Eldridge street.

Sewer in Thirty-fourth street, from Fifth to Sixth avenue.

Paving First avenue, from Twenty-eighth to Thirty-fourth street.

Sewer in Wooster street, from Canal to Houston street.

Sewer in Troy street, from Hudson river to Twelfth street.

Regulating Thirty-eighth street, from Second avenue to East river.

Paving Thirty-fifth street, from Broadway to Eighth avenue.

Sewer in Pearl street, from Perry to Frankfort street.

Curb and gutter, and flagging Eighty-fourth street, between Fourth and Fifth avenues.

Sewer in Sullivan and Broome streets, from Grand to Varick street.

Sewer in Bowery, (east side,) from Broome to Rivington street.

Sewer in Madison avenue, from Thirty-seventh to Thirty-eighth street.

Sewer in Christopher street, from Greenwich avenue to Hudson river.

Sewer in Nineteenth street, from First avenue to Avenue A.

Sewer in Twenty-sixth street, from Madison to near Fourth avenue.

Paving Twenty-fifth street, between Sixth avenue and Broadway.

Grading and Macadamizing Fifty-seventh street, between Broadway and Eighth avenue.

Curb and gutter and flagging Forty-third street, from Broadway to Fifth avenue.

Curb and gutter in One hundred and twenty-fifth street, between Fourth and Eighth avenues.

Curb and gutter and flagging Forty-eighth street, from Eighth to Tenth avenue.

Flagging Fourteenth street, between Avenues A and B.

Flagging Sixteenth street, (south side,) between Third avenue and Irving place.

Fencing lots, Second avenue and Thirteenth street.

Paving Twenty-ninth street, between Second and Third avenues.

Regulating and curb and gutter, Thirty-seventh street, from Tenth avenue to Hudson river.

Curb and gutter and flagging Eighty-third street, between Fourth and Fifth avenues.

Sewer in Laurens street, from Canal street, three hundred feet north.

Sewer in Seventh avenue, between Thirteenth and Fourteenth streets.

Sewer in Thirty-second street, from Madison to near Fourth avenue.

Sewers in Thompson, Spring and Prince streets.

Sewer in Eighteenth street, from Tenth avenue to Hudson river.

Sewer in Twenty-sixth street, from Lexington to near Third avenue.

Sewer in Thirty-seventh street, from a point west of Seventh avenue, to seventy-five feet east.

Sewer in Twenty-sixth street, from Ninth avenue, five hundred feet east.

Sewer in Third avenue, from Twenty-sixth to Twenty-seventh street.

Sewer in Fifteenth street, three hundred and ten feet west of First avenue, to twenty-five feet east of Second avenue.

Sewer in Forty-third street, between Eighth and Ninth avenues.

Sewer in Dover street, from East river to Franklin square.

Sewer in Thirty-fourth street, between Eighth and Ninth avenues.

Sewer in Cherry street, from No. 36, to Franklin square.

Regulating and curb and gutter Forty-ninth street, from Tenth avenue to Hudson river.

Flagging north side of Nineteenth street, between Second and Third avenues.

Flagging Henry and Rutgers streets.

Sewer in Leroy street, from Hudson street to Hudson river.

Paving Second avenue, from Twenty-eighth to Forty-second street.

Sewer in Forty-first street, between Third and Lexington avenues.

Flagging Thirty-first street, between Eighth and Ninth avenues.

Flagging Forty-first street, corner of Sixth avenue, (south-westerly corner.)

Curb and gutter and flagging Essex street, from Rivington to Stanton street.

Sewer in Fulton street, from West street to outside bulkhead.

Curb and gutter and flagging Henry street, from No. 137 to Grand street.

Paving Forty-third street, from Broadway to Fifth avenue.

Sewer in Mercer street, from Bleecker to near Amity street.

Sewer in Sixth street, between First and Second avenue.

Sewer in Leonard street, from West Broadway to Broadway.

Curb and gutter, and flagging Bowery and Rivington street.

Flagging Clinton street, west side, between Grand and Hester streets.

Curb and gutter, and reflagging Church and White streets.

Sewer in Thirty-ninth street, from Eighth to Ninth avenue.

Regulating and curb and gutter Fiftieth street, from Tenth avenue to Hudson river.

Flagging Mercer street, from No. 55 to Broome street.

Flagging south side Twenty-third street, between Fifth and Sixth avenues.

Receiving basins, corner Greenwich and Liberty streets.

Sewer in Madison street, from No. 175 to sewer built at Rutgers street.

Sewer in Greenwich street, from Cortlandt to one hundred feet north of Liberty street.

Sewer in Broome street, from Columbia to Eldridge street.

Regulating, resetting curb and gutter, and paving Forty-first street, from Second to Third avenue.

Sewer in Ridge street, from Houston to Stanton street.

Sewer in Fourth street, from Troy to near Jane.

Sewer in Mott street, from Chatham to Pell street.

Sewer in Thirty-seventh street, from Madison to near Fourth avenue.

Paving Thirty-ninth street, from Tenth avenue to Hudson river.

Paving, curb and gutter, and flagging Thirty-third street, from Third avenue to East river.

Sewer in Hammond street, from Greenwich avenue to Hudson river.

Sewer in Forty-first street, from Sixth to Eighth avenue.

Sewer in Fifth street, between Avenue A and First avenue.

Flagging Fourteenth street, (south side,) between Second and Third avenues.

Flagging First avenue, between Twenty-eighth and Twenty-ninth streets.

Respectfully submitted,

| | | |
|-------------------|---------------------|--------------------|
| WM. GAGE, | } <i>Assessors,</i> | |
| CHARLES J. DODGE, | | <i>Street</i> |
| CHARLES McNEILL | | <i>Department.</i> |

BUREAU FOR THE COLLECTION OF ASSESSMENTS, }
New York Jan. 1, 1854. }

JAMES FUREY, Esq.,

Street Commissioner:

SIR:—I hereby submit a report of this bureau. The rapid improvement of this city during the past year, as evidenced by the number of public works, has caused a great increase in the duties of this office, the arduous nature of which will be best understood by an examination of the annexed table, showing the number of assessments received, viz :

Total amount of money received on sewers from the 1st of January, 1853, to the 1st of January, 1854, of which the following is a schedule, to show the amount for advertising, is two thousand eight hundred and nine dollars and ten cents, (\$2,809 10.)

Amount collected on assessments, three hundred and seventeen thousand three hundred and eighty-four dollars and fifty-two cents, (\$317,384 52.)

The amount received on interest, ten thousand one hundred and seventy-four dollars and twenty-eight cents, (\$10,174 28.)

Total amount of money received during the year 1853, on sewers, is three hundred and thirty thousand three hundred and sixty-seven dollars and ninety cents, (\$330,367 90.)

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | TOTAL. |
|--|--|-----------|-------------|-----------|-----------|
| Sewer in 6th av., Barrow to 13th st..... | | | \$42 54 | \$55 89 | \$98 43 |
| " 8th av., 37th to 42d st..... | | \$2 50 | 91 87 | 35 49 | 129 86 |
| " Jane st., Hudson st. to river..... | | 4 50 | 427 49 | 156 35 | 588 34 |
| " 23d st., 6th to 8th av..... | | 2 00 | 77 01 | 31 31 | 110 32 |
| " 24th st., East river to 2d av..... | | 1 25 | 103 63 | 24 46 | 129 34 |
| " 33d st., 6th to 8th av..... | | 1 25 | 93 04 | 13 04 | 107 33 |
| " Amity & Great Jones sts., 6th av. to Bowery. | | 1 50 | 29 63 | 6 58 | 37 71 |
| " 42d st., bet. 11th and 12th avs., supplmts.... | | 937 00 | 16,011 44 | 1,596 68 | 18,545 12 |
| " 10th st., av. C. to Dry Dock st..... | | 5 00 | 115 24 | 21 04 | 141 28 |
| " 3d st., Av. A to a point west of Av. A.... | | | -29 33 | 4 48 | 33 82 |
| " 40th st., 6th to 8th avs..... | | 6 25 | 575 91 | 101 42 | 683 58 |
| " &c. 28th st., 2d av, to East river..... | | 31 75 | 1,351 14 | 231 10 | 1,613 99 |
| " 31st st., Lexington to 3d av..... | | 2 75 | 247 59 | 42 75 | 293 09 |
| " 29th st., 10th av. to Hudson river..... | | 4 50 | 167 17 | 27 99 | 199 66 |
| " 30th st., 3d to Lexington av..... | | 2 50 | 119 10 | 20 12 | 141 72 |
| " 11th st., Avenue C to East river..... | | 6 25 | 135 20 | 20 69 | 162 14 |
| " Broadway, Grand to Spring st..... | | 2 50 | 121 15 | 19 70 | 143 35 |
| " Washington place, Mercer to Green st.... | | 1 25 | 107 32 | 17 50 | 126 07 |
| " Avenue A, 12th to 13th st..... | | 1 25 | 63 09 | 10 33 | 74 67 |
| " 22d st., 2d av. to East river..... | | 7 00 | 215 55 | 32 41 | 254 96 |
| " 29th st., branch Lex't'n av. s'w'r, 28th to 30th | | 7 25 | 540 10 | 79 63 | 626 98 |
| " Warren st., through Broadway to Murray st. | | 1 25 | 4 52 | 69 | 6 46 |

| | | | | |
|---|--------|-----------|----------|-----------|
| Sewer in 2d av., 29th to 33d st..... | 2 50 | 38 50 | 7 00 | 45 50 |
| " 32d, 33d and 34th sts., 2d to 3d avs..... | 16 00 | 3 45 | 50 | 6 45 |
| " 9th st., 3d av to Avenue A..... | 18 00 | 343 32 | 49 12 | 408 44 |
| " 37th st., 9th to 8th av..... | 1 25 | 852 13 | 124 37 | 994 50 |
| " 33d st., 5th to 6th av..... | 12 00 | 56 00 | 8 23 | 65 48 |
| " 9th av., 30th to 34th street..... | 5 00 | 2,958 58 | 379 81 | 3,350 39 |
| " Delancey st., Sheriff to Essex st..... | 3 00 | 58 28 | 7 91 | 71 19 |
| " Crosby st., Howard st. to Broadway..... | 6 25 | 7 62 | 1 00 | 11 62 |
| " 27th st., 6th to 8th av..... | 3 00 | 114 96 | 17 48 | 138 69 |
| " 5th st., East river to Avenue D..... | 5 00 | 150 48 | 15 83 | 169 31 |
| " 6th st., 2d to 3d av..... | 11 50 | 96 03 | 13 13 | 114 16 |
| " 44th st., 9th to 8th av..... | 20 50 | 892 21 | 117 00 | 1,020 71 |
| " 34th st., 7th to 6th av..... | 832 75 | 178 47 | 22 62 | 221 59 |
| " 42d st. and 9th av., 45th st. and 8th av..... | 17 09 | 25,809 97 | 3,130 56 | 29,773 28 |
| " Duane, Chapel, Thomas, Hudson and Jay sts. | 37 40 | 169 40 | 17 72 | 204 12 |
| " 6th av., and in 35th and 37th sts..... | 31 00 | 1,197 38 | 183 50 | 1,418 28 |
| " 13th st., through the 8th av. to Jane st.... | 8 00 | 532 83 | 67 86 | 631 69 |
| " 4th st., from Bowery to Avenue B..... | 21 50 | 88 43 | 11 24 | 107 67 |
| " 17th st. to 2d av., through 1st av. to 18th st. | 2 50 | 1,032 29 | 123 27 | 1,177 06 |
| " Broadway, Spring & Prince to Houston sts. | 13 00 | 153 77 | 17 91 | 174 18 |
| " 31st st., 7th to 8th av..... | 15 50 | 398 44 | 44 79 | 456 23 |
| " 31st st., Madison to near 4th av..... | 2 50 | 910 99 | 104 94 | 1,031 43 |
| " 21st st., 3d to Lexington av..... | 2 50 | 571 16 | 64 03 | 637 69 |
| " 18th st., 4th av. to Broadway..... | 2 50 | 23 36 | 2 42 | 28 28 |
| " 9th st., 3d to 4th av..... | 2 50 | 45 37 | 5 09 | 52 96 |

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | TOTAL. |
|--------------------------|--|-----------|-------------|-----------|----------|
| Sewer | in 21st st., Hudson river to near 8th av..... | \$4 00 | \$193 11 | \$19 42 | \$216 53 |
| " | 36th st., 8th to 7th av..... | 65 00 | 2,159 17 | 227 04 | 2,451 21 |
| " | 39th st., 5th av., through 6th, 39th to 40th st. | 19 25 | 1,521 83 | 149 36 | 1,690 44 |
| " | 38th st., 5th to 6th av..... | 20 25 | 537 41 | 56 62 | 614 28 |
| " | 16th st., Avenue A to Livingston place... | 6 25 | 141 40 | 14 84 | 162 49 |
| " | 29th st., 2d to 3d av..... | 15 25 | 1,237 67 | 129 76 | 1,382 68 |
| " | 16th st., East river to Avenue A..... | 17 50 | 735 70 | 68 56 | 821 76 |
| " | 36th st., 6th to 5th av..... | 15 50 | 1,070 72 | 110 96 | 1,197 18 |
| " | Avenue A, 18th to 16th st..... | 12 75 | 108 48 | 12 36 | 133 59 |
| " | 7th av., Avenue C to B..... | 19 25 | 59 13 | 6 27 | 84 65 |
| " | Gold st., Ferry to Frankfort..... | 5 00 | 135 48 | 14 20 | 154 68 |
| " | 7th av., 14th to 17th st..... | 13 75 | 348 49 | 34 36 | 396 60 |
| " | Orange st., Cross to Walker st..... | 6 75 | 178 90 | 17 50 | 203 15 |
| " | Avenue A, 18th to 22d st..... | 29 00 | 652 73 | 68 86 | 750 59 |
| " | 35th st., 6th to 5th av..... | 4 50 | 620 64 | 57 95 | 683 09 |
| " | 27th st., Hudson river to 10th av..... | 3 75 | 197 67 | 19 62 | 221 04 |
| " | Franklin st., Broadway to Chapel st..... | 1 25 | 62 55 | 6 20 | 70 00 |
| " | 31st st., 8th to 9th av..... | 12 00 | 504 44 | 49 66 | 566 10 |
| " | 37th st., 9th to 10th av..... | 1 50 | 118 98 | 9 47 | 129 95 |
| " | 23d st., through 11th av., 450 ft. W. 9th av | 8 50 | 126 55 | 11 64 | 146 69 |
| " | Elm st., Canal and Howard to Crosby st.. | 2 75 | 23 95 | 1 98 | 28 68 |
| " | 39th st., 8th av. 350 feet east of 8th st.... | 4 25 | 1,021 30 | 99 87 | 1,125 42 |

| | | | | | |
|----------|---|--------|----------|--------|----------|
| Sewer in | Gold st., Spruce to Fulton st..... | 1 50 | 85 50 | 8 31 | 95 31 |
| " | Hester st., Centre to Orange st..... | 1 25 | 82 95 | 8 40 | 92 60 |
| " | 48th st., 8th av. to 400 feet west of 8th av. | 6 50 | 1,040 54 | 96 50 | 1,143 54 |
| " | 13th st., East river to Avenue A..... | 8 25 | 590 15 | 42 51 | 640 91 |
| " | 8th st., 53d to 54th st..... | 24 75 | 2,545 20 | 196 63 | 2,766 58 |
| " | 12th st., 6th av., through 7th to 13th st.... | 4 25 | 147 75 | 15 50 | 167 50 |
| " | 16th st., 6th to 7th av..... | 2 50 | 104 00 | 8 49 | 114 99 |
| " | 35th st., 2d to 3d av..... | 6 50 | 277 04 | 22 78 | 306 32 |
| " | 36th st., Madison to 5th av..... | 3 00 | 486 61 | 38 64 | 528 25 |
| " | Beekman st., Gold to William st..... | 3 75 | 222 75 | 18 14 | 244 64 |
| " | Avenue B, 13th to 14th st..... | 7 50 | 118 10 | 11 02 | 136 62 |
| " | Green st., Canal to Houston street..... | 2 75 | 641 72 | 35 41 | 677 13 |
| " | Stanton st., Pitt to Suffolk street..... | 1 25 | 329 20 | 48 56 | 380 51 |
| " | Columbia st., Delancey to Rivington street. | 1 25 | 82 01 | 5 88 | 89 14 |
| " | Vestry st., Canal to Hudson street..... | • | 289 83 | 16 35 | 306 18 |
| " | 49th st., 8th av. to Broadway..... | 142 25 | 2,037 02 | 156 21 | 2,193 23 |
| " | 3d av., 42d st. to and through 39th to 2d av. | 5 75 | 8,213 97 | 523 11 | 8,879 33 |
| " | 39th st., 5th to Madison av..... | 18 75 | 565 51 | 45 92 | 617 18 |
| " | 33d st., Madison to 5th av..... | 1 50 | 1,517 56 | 136 98 | 1,673 29 |
| " | Greenwich st., Canal to Spring st..... | 1 50 | 180 66 | 13 78 | 195 94 |
| " | Varick st., Canal to Laight st..... | 6 00 | 21 80 | 1 80 | 25 10 |
| " | Renwick st., Canal to Spring st..... | 1 25 | 275 26 | 28 33 | 309 59 |
| " | 26th st., 2d to 3d av..... | 1 50 | 119 98 | 11 20 | 132 43 |
| " | City Hall place, Pearl to Duane st..... | 1 50 | 65 23 | 5 74 | 72 47 |
| " | 14th st., 10th av. to Hudson river..... | 73 20 | 1,306 12 | 117 20 | 1,496 52 |

| DESCRIPTION OF PROPERTY. | | Adverts. | Assessment. | Interest. | Total. |
|--------------------------|---|----------|-------------|-----------|----------|
| Sewer in | Bleecker st., Broadway to Bowery..... | \$5 25 | \$37 04 | \$3 36 | \$45 65 |
| " | 11th st., Av. A to 1st av..... | 24 75 | 1,006 52 | 87 89 | 1,119 16 |
| " | William st., Spruce to Frankfort st..... | 1 25 | 90 97 | 8 40 | 100 62 |
| " | Prince st., Marion to Houston st..... | 1 25 | 8 09 | 70 | 10 04 |
| " | Delancey st., Essex st. to Bowery..... | 10 50 | 147 50 | 11 92 | 169 92 |
| " | Grand st., B'wy, Chrys., Walker & Hes. sts | 16 75 | 488 29 | 39 13 | 544 17 |
| " | Broome st., Elm and Broome to Spring st.. | 1 50 | 66 76 | 5 05 | 73 31 |
| " | Av. D, 8th to 10th st..... | 2 75 | 46 76 | 3 62 | 53 13 |
| " | Elizabeth st., Houston to No. 226 Eliz'beth st. | | 951 57 | 2 20 | 953 77 |
| " | 39th st., 3d st. to Lexington av..... | | 2,321 45 | | 2,321 45 |
| " | Mulberry st., Grand to Hester st..... | | 1,252 63 | 89 | 1,253 52 |
| " | Av. A, 16th to 14th st..... | | 1,817 43 | 53 | 1,847 96 |
| " | 18th st., 9th to 7th av..... | | 4,364 90 | 1 90 | 4,366 80 |
| " | 4th av., 24th to 26th st..... | | 1,587 32 | 7 79 | 1,595 11 |
| " | Bayard st., Orange st. to Bowery..... | | 3,381 50 | 48 | 3,381 98 |
| " | 35th st., 8th to 9th av..... | | 2,055 61 | 16 28 | 2,071 89 |
| " | Madison st., Jefferson to Rutgers st..... | | 1,446 53 | 1 00 | 1,447 53 |
| " | Laurens st., Amity Place to Bleecker st.... | | 979 87 | | 979 87 |
| " | 34th st., 5th to 6th av..... | | 5,035 76 | 10 09 | 5,045 85 |
| " | Hester st., Essex to Eldridge st..... | | 3,349 25 | 1 78 | 3,351 03 |
| " | 15th st., av. C to av. A..... | | 2,018 62 | 1 02 | 2,019 64 |
| " | Wooster st., Canal to Houston st..... | | 7,579 30 | 7 92 | 7,587 22 |

| Sewer in | \$ | \$6,026 97 | \$5 86 | \$6,032 83 |
|--|----|------------|--------|------------|
| Troy st., Hudson river to 12th st..... | " | 1,483 67 | | 1,483 67 |
| Pearl st., Ferry to Frankfort st..... | " | 1,170 34 | | 1,170 34 |
| 19th st., 1st av. to av. A..... | " | 2,221 91 | | 2,221 91 |
| East 26th st., Madison to near 4th av..... | " | 1,0685 29 | 81 00 | 1,0766 29 |
| Charles st., Greenwich av. to Hudson river. | " | 1,091 96 | 15 54 | 1,107 50 |
| Cross st., Pearl to Orange st..... | " | 2,383 68 | 2 83 | 2,386 51 |
| 15th st., 6th to 7th av..... | " | 6,002 21 | 75 86 | 6,078 07 |
| 38th st., 8th to 6th av..... | " | 1,891 53 | 11 64 | 1,903 17 |
| 28th st., 3d to Lexington av..... | " | 1,712 42 | 6 74 | 1,719 16 |
| Vandewater st., Frankfort to Pearl st..... | " | 612 85 | 3 48 | 616 33 |
| 1st av., 12th to 13th st..... | " | 843 50 | 3 43 | 846 93 |
| Thompson st., Bleeker to opposite No. 219. | " | 8,825 57 | 59 90 | 8,885 47 |
| 9th av., 45th to 51st st..... | " | 2,920 12 | 3 15 | 2,923 27 |
| 19th st., 8th to 7th av..... | " | 5,843 47 | 17 41 | 5,860 88 |
| Chambers st., Broadway to Greenwich st.. | " | | | |
| Orange st., and basins and culverts, Walker to Grand, &c..... | " | 1,771 15 | 4 98 | 1,776 13 |
| 35th st., Madison to 4th av..... | " | 1,366 01 | 44 59 | 1,410 60 |
| Division st., Clinton to Gouverneur st.... | " | 3,473 57 | 9 47 | 3,483 04 |
| 10th av., 31st to 33d st., and in 33d st.... | " | 5,214 71 | 48 44 | 5,263 15 |
| Grand st., Crosby to Elm st..... | " | 171 62 | 9 10 | 180 72 |
| 10th av., 42d to 46th st..... | " | 1,478 63 | 51 59 | 1,530 22 |
| 43d st., 5th av. through 6th to 40th st.... | " | 540 95 | 35 79 | 576 74 |
| 11th st., 1st to 2d av..... | " | 38 24 | 2 03 | 40 27 |
| Prince st., Green st. to Broadway..... | " | 66 27 | 3 08 | 69 35 |

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | TOTAL. |
|---|--|-----------|-------------|-----------|------------|
| Sewer in 37th st., 8th to 7th av..... | | \$11 00 | \$1,269 57 | \$59 15 | \$1,339 72 |
| " Pearl st., State to Whitehall st..... | | | 129 55 | 4 54 | 134 09 |
| " Stanton st., Suffolk st. to Bowery..... | | | 448 38 | 17 31 | 465 69 |
| " 2d st., Av. A to 1st av..... | | | 556 43 | 15 19 | 571 62 |
| " Lexington av., 32d to 36th st..... | | | 2,237 20 | 80 51 | 2,317 71 |
| " Duane st., Hudson river to Hudson, Jay and Warren sts..... | | | 800 19 | 24 52 | 824 71 |
| " 9th av., 14th st. and 15th to 8th av..... | | | 401 83 | 14 06 | 415 89 |
| " 37th st., 2d to 3d av..... | | | 360 32 | 21 60 | 381 92 |
| " 31st st., Lexington to 4th av..... | | | 670 49 | 28 27 | 698 76 |
| " Bridge st., State to Whitehall st..... | | | 216 66 | 5 71 | 222 37 |
| " 25th st., Lexington to 3d av..... | | | 114 62 | 5 37 | 119 99 |
| " Henry st., Jefferson to Rutgers st..... | | | 320 56 | 8 86 | 329 42 |
| " 32d st., Madison to 5th av..... | | | 1,063 26 | 44 43 | 1,107 69 |
| " Franklin st., Elm to 293 ft west Elm..... | | | 52 25 | 1 73 | 53 98 |
| " Lewis st., Broome to Grand st..... | | | 66 78 | 2 82 | 69 60 |
| " 3d st., Av. A to Bowery..... | | | 3,317 02 | 36 12 | 3,353 14 |
| " 36th st., Madison av. to 300 ft. east..... | | | 2,717 71 | 9 33 | 2,727 04 |
| " 40th st., Lexington to 3d av..... | | | 1,872 05 | 4 58 | 1,876 63 |
| " Centre st., Grand to Broome st..... | | | 1,582 22 | 6 41 | 1,588 63 |
| " Bowery, Broome to Rivington street..... | | | 3,144 31 | 23 | 3,144 54 |
| " Broome and Sullivan st., Varick to Grand. | | | 2,315 91 | 16 | 2,316 07 |

| Sewer in | Christopher st., Greenwich ave. to N. river. | \$ | \$8,038 59 | \$ | \$8,038 59 |
|----------|--|----------|------------|-------|------------|
| " | 7th avenue, 13th to 14th street..... | 298 83 | 298 83 | | 298 83 |
| " | 32d street, Madison to near 4th avenue.... | 566 50 | 566 50 | | 566 50 |
| " | Cherry st., No. 36 to Franklin square..... | 445 06 | 445 06 | | 445 06 |
| " | 43d street, 8th to 9th avenue..... | 983 21 | 983 21 | | 983 21 |
| " | 26th street, Lexington to near 3d avenue.. | 166 40 | 166 40 | | 166 40 |
| " | 15th street, 3d to 2d avenue..... | 304 48 | 304 48 | | 304 48 |
| " | Dover street, East river to Franklin square. | 1,702 59 | 1,702 59 | | 1,702 59 |
| " | Laurens street, Canal to 300 feet north.... | 419 54 | 419 54 | | 419 54 |
| " | 26th street, 9th to 8th avenue..... | 279 00 | 279 00 | | 279 00 |
| " | Leroy street, Hudson street to river..... | 662 62 | 662 62 | | 662 62 |
| " | Thompson, Broome, Bleecker, Spring, Prince | 3,346 82 | 3,346 82 | | 3,346 82 |
| " | 6th street, 1st to near 2d avenue..... | 125 28 | 125 28 | | 125 28 |
| " | Leonard st., West Broadway to Broadway. | 85 22 | 85 22 | | 85 22 |
| " | Greenwich avenue, 6th avenue to 12th st... | 5,647 44 | 5,671 04 | 23 60 | 5,671 04 |
| " | Chatham, Mott, Bowery to Walker st..... | 4,876 99 | 4,890 45 | 13 46 | 4,890 45 |
| " | Avenue A, 14th to 13th st., thro' 13th, &c.. | 2,477 27 | 2,502 66 | 25 39 | 2,502 66 |
| " | Mercer st., south Grand st., inter'g Spring. | 3,159 40 | 3,184 73 | 25 33 | 3,184 73 |
| " | Grand, Suffolk, bet. Attorney and Ridge sts. | 2,011 05 | 2,025 78 | 14 73 | 2,025 78 |
| " | Nassau st., Ann to Beekman street..... | 758 32 | 765 13 | 6 81 | 765 13 |
| " | Greenwich st., Spring to Vandam street... | 736 90 | 737 97 | 1 07 | 737 97 |
| " | 31st st., 7th to 6th avenue..... | 4,084 13 | 4,149 29 | 65 16 | 4,149 29 |
| " | Houston street, Essex to Mulberry sts..... | 9,462 82 | 9,504 30 | 41 48 | 9,504 30 |
| " | 2d avenue, 23th to 29th street..... | 441 67 | 446 83 | 5 16 | 446 83 |
| " | 38th street, 8th avenue to 250 feet 8th.... | 742 44 | 752 00 | 9 56 | 752 00 |

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | TOTAL. |
|--------------------------|--|-----------|-------------|-----------|------------|
| Sewer in | Thames street, Greenwich to Temple st.... | | \$1,909 72 | \$19 00 | \$1,928 72 |
| " | 29th street, Lexington to 3d avenue..... | | 997 60 | 17 94 | 1,015 54 |
| " | Greenwich st., Vandom to Charlton st..... | | 743 25 | 3 89 | 747 14 |
| " | Water street, Fulton to Beekman street.... | | 848 72 | 8 44 | 857 16 |
| " | Avenue B, 10th to 11th street..... | | 721 90 | 14 19 | 736 09 |
| " | Washington street, Rector to Morris st.... | | 2,568 02 | 3 49 | 2,571 51 |
| " | 10th avenue, 29th to 30th street..... | | 1,184 07 | | 1,184 07 |
| " | East 20th st., Avenue A to 1st avenue..... | | 224 93 | | 224 93 |
| " | Duane st., City Hall place to Chatham st.. | | 479 53 | 3 04 | 482 57 |
| " | 41st street, 9th to 8th avenue..... | | 2,672 42 | 36 27 | 2,708 69 |
| " | 39th street, 8th to 6th avenue..... | | 8,712 62 | 58 01 | 8,770 63 |
| " | 30th street, 9th to 10th avenue..... | | 4,443 28 | 4 06 | 4,447 34 |
| " | Perry st., Greenwich av. to Hudson river.. | | 9,796 36 | 21 32 | 9,817 68 |
| " | Waverley place, 6th avenue to Grove st.... | | 1,724 04 | 32 68 | 1,756 72 |
| " | Washington st., Battery place to Morris st.. | | 1,488 07 | 8 62 | 1,496 69 |
| " | Chrystie street, Walker to Bayard st..... | | 1,588 82 | 5 60 | 1,594 42 |
| " | Centre street, City Hall place..... | | 745 52 | 19 05 | 764 57 |
| " | Henry street, Jefferson to Clinton st..... | | 889 53 | 92 | 890 45 |
| " | Cannon street, Houston to Stanton street.. | | 831 47 | 7 07 | 838 54 |
| " | Madison street, Roosevelt to James st..... | | 838 12 | 5 51 | 843 63 |
| " | Marion st., to the sewer in Prince st..... | | 181 09 | | 181 09 |

Total amount of money received for paving, regulating, curb and gutter, and flagging for the year 1853, of which the following is a schedule, will show amount of advertising two thousand seven hundred and sixteen dollars and seventy-one cents, (\$2,716 71); the amount collected on assessments is three hundred and thirty two thousand and eleven dollars and thirty-two cents (\$332,011 32); the amount received on interest is fifteen thousand three hundred and one dollars and sixty-three cents (\$15,301 63.)

The total amount received during the year 1853, on paving, regulating, curb and gutter, and flagging, is three hundred and fifty thousand and twenty-nine dollars and sixty-six cents (\$350,029 66.)

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | Total. |
|--|--|-----------|-------------|-----------|----------|
| 40th st., curb and gutter, and flagging, 8th to 9th av. | | \$23 75 | \$545 30 | \$92 26 | \$661 31 |
| Av. B, filling in and regulating 13th to 17th st..... | | 19 25 | 670 51 | 112 31 | 802 07 |
| South st., regulating and paving Pike to Catharine st. | | 2 50 | 43 77 | 7 41 | 53 68 |
| 34th st., curb and gut., and flag., 8th av. to Broadway. | | 3 75 | 145 26 | 23 46 | 172 47 |
| 32d st., paving and flagging Broadway to 4th av..... | | 39 50 | 1,779 10 | 213 91 | 2,032 51 |
| 44th st., regulating and curb and gutter, 3d to 5th av. | | 6 75 | 1,128 73 | 178 25 | 1,213 73 |
| 14th st., pav., curb and gut., and flagging, 1st to 2d av. | | 12 50 | 436 90 | 74 00 | 523 40 |
| 31st st., regulating and curb and gutter, 8th to 9th av. | | 2 75 | 277 18 | 44 55 | 324 48 |
| 43d st., " grad'g, pav'g & flag'g, 9th av. to H'n r. | | 24 50 | 977 15 | 110 72 | 1,112 37 |
| 49th st., " 5th av. to Bloomingdale road..... | | 12 00 | 844 80 | 122 24 | 979 04 |
| 45th st., " 5th av. to Bloomingdale road..... | | 15 00 | 691 17 | 79 31 | 785 48 |
| 45th st., " 2d to 3d av..... | | 8 00 | 431 21 | 59 83 | 499 04 |

| DESCRIPTION OF PROPERTY. | Adverts. | Assessment. | Interest. | Total. |
|---|----------|-------------|-----------|------------|
| | | | | |
| 7th av., paving, 30th to 43d street..... | \$95 25 | \$1,715 50 | \$275 17 | \$2,085 92 |
| 80th st., regulating and grading 2d to 3d av..... | 3 75 | 77 38 | 12 23 | 93 36 |
| 36th st., grad'g and curb and gutter, 10th to 11th av. | 47 50 | 3,059 14 | 483 16 | 3,589 80 |
| 3d av. & 86th st., flag'g & c'b & gut'r, between 81st & 86th sts., 4th & 5th avs..... | 1 50 | 33 51 | 5 15 | 40 16 |
| 5th av., regulating and curb and gutter, 34th to 42d st. | 134 75 | 990 05 | 93 71 | 1,218 51 |
| 10th av., reg'g and Macadamizing Bl'd'e r'd to 86th st. | 84 00 | 2,900 34 | 454 17 | 3,438 51 |
| 25th st., reg'g curb and gut'r and flag'g 9th to 10th av. | 18.25 | 638 89 | 98 71 | 755 85 |
| Market st., reg'g c'b & gut'r & fl'g, Front to South st. | 1 50 | 9 97 | 1 84 | 13 31 |
| Delancey st., r'g p'v'g, & c'b & g'r, Goerck st. to E. R. | 1 50 | 5 60 | 91 | 8 01 |
| 42d st., c'b and gut'r and flag'g, 8th to 10th av..... | 2 50 | 53 70 | 8 26 | 64 46 |
| 34th st., reg'g, 3d to the 7th av..... | | 62 17 | 27 24 | 89 41 |
| 6th av., reg'g & c'b & gut'r Bloomingdale r'd to 42d st. | 4 00 | 329 10 | 138 60 | 471 70 |
| Broadway, grad'g & reg'g & c'b & gut'r, 23d to 42d st. | | 8 24 | 2 80 | 11 04 |
| 51st st., reg'g & grad'g Bloomingdale r'd to 10th av... | 1 50 | 27 00 | 5 80 | 34 30 |
| 43d st., reg'g 8th to 9th av..... | 1 50 | 71 86 | 12 16 | 85 52 |
| 4th av., paving 28th to 33d st..... | 2 50 | 36 29 | 8 92 | 47 71 |
| 5th & M'n av., c. & g., 31st to 32d st., & in 33d to 40th st. | 1 50 | 103 38 | 19 82 | 124 70 |
| 39th st., regulating 8th to 9th av..... | 14 00 | 2,054 08 | 461 38 | 2,529 46 |
| 5th av., paving, 23d to 30th st..... | | 120 96 | 27 48 | 148 44 |
| 29th st., reg'g and pav'g, and flag'g, 9th to 11th av... | 9 00 | 597 20 | 111 57 | 717 77 |
| 11th av., regulating, 43d to 46th st..... | 7 75 | 244 69 | 44 89 | 297 33 |

| | | | | |
|---|--------|----------|--------|----------|
| 37th st., paving, 9th to 10th av. | \$1 50 | \$2 12 | \$40 | \$4 02 |
| 4th av., paving, 33d to 34th st. | 2 50 | 28 60 | 4 34 | 36 44 |
| 39th st., regulating and grading, 2d to 3d av. | 3 00 | 244 40 | 43 63 | 291 03 |
| 36th st., reg'g and pav'g, 7th to 8th av. | 1 25 | 34 25 | 6 32 | 41 82 |
| Av. A, paving, 14th to 23d st. | 19 25 | 480 65 | 80 27 | 580 17 |
| 3d av., cov'g gut. with iron plates, e'st'rly side of 9th st. | 2 50 | 11 34 | 2 11 | 15 95 |
| 35th st., reg'g and curb and gut'r, 2d to Lexington av. | 6 75 | 735 17 | 126 38 | 867 30 |
| 27th st., reg'g, & pav'g, & c'b & gut'r, 1st to 2d av. | 1 50 | 47 75 | 8 29 | 57 54 |
| 28th st., curb and gutter, and paving, 6th to 7th av. | 4 50 | 82 69 | 12 92 | 100 11 |
| 84th st., grading, 3d to 4th av. | 7 75 | 150 07 | 29 02 | 186 84 |
| Broadway, repaving Maiden Lane to Wall st. | 3 00 | 30 58 | 4 67 | 38 25 |
| 41st st., regulating, and c'b and gut'r, 9th to 10th av. | 17 75 | 3,602 00 | 508 41 | 4,128 16 |
| 34th st., regulating, 9th av. to Hudson river. | 71 21 | 5,917 13 | 853 72 | 6,842 06 |
| 3d av., paving, 28th to 36th st. | 44 75 | 1,049 85 | 176 59 | 1,271 19 |
| Oak st., paving, and curb and gutter. | 13 25 | 229 61 | 31 92 | 274 78 |
| 10th av., paving, 28th to 32d st. | 5 00 | 45 83 | 6 68 | 57 51 |
| 9th av., regulating, 43d to 51st st. | 58 75 | 1,188 56 | 170 45 | 1,417 76 |
| 83d st., grading and flagging, 3d to 4th av. | 1 50 | 36 71 | 4 70 | 42 91 |
| 9th av., curb and gutter, and flagging, 42d to 51st st. | 33 75 | 460 37 | 64 35 | 558 47 |
| 32d st., regrading and paving, 6th to 7th av. | 7 75 | 182 80 | 24 49 | 215 04 |
| 8th av., regulating and grading, 59th to 84th st. | 59 75 | 479 35 | 49 23 | 558 33 |
| 42d st., curb and gutter, and flagging, 5th to 8th av. | 49 00 | 1,793 29 | 232 26 | 2,074 55 |
| 119th st., grading, 2d to 4th av. | 9 50 | 459 51 | 60 03 | 529 04 |
| Lex'n av., pav'g & c. & g., & fl'g, 29th to 34th, in 30th st. | 14 75 | 390 27 | 51 20 | 456 22 |
| 19th st., grading, 1st av., to East river. | 30 00 | 2,403 60 | 303 96 | 2,737 56 |

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | Total. |
|---|-----------|-------------|-----------|----------|
| | | | | |
| Beckman and South st., grading and paving..... | \$2 75 | \$139 51 | \$17 01 | \$159 27 |
| Livingston place, reg'g. & c'b & gut'r, 15th to 17th st.. | 6 25 | 152 46 | 19 99 | 178 70 |
| 52d st., regulating, 4th to 5th av..... | 2 75 | 312 83 | 40 19 | 355 77 |
| 7th av., regulating, Harlem lane to 129th st..... | 228 75 | 2,689 18 | 303 67 | 3,220 60 |
| 44th st., reg'g and c'b and gut'r, 5th av. to Broadway. | 16 25 | 279 15 | 32 61 | 328 01 |
| 10th av., paving and flagging, 32d to 36th st..... | 20 00 | 507 75 | 48 32 | 576 07 |
| 28th st., regulating, 10th av. to Hudson river..... | 1 25 | 24 23 | 3 99 | 29 47 |
| East st., reg'g. & c'b & gut'r, & flag'g Gr'd to Riv'n.. | 1 50 | 291 39 | 31 77 | 324 66 |
| 44th st., reg'g. & c'b & gut'r, & flag'g, 8th to 9th av.. | 10 00 | 303 12 | 33 60 | 346 72 |
| 28th st., paving, Broadway to Madison av..... | 9 00 | 203 22 | 21 95 | 234 17 |
| 30th st., regulating and paving, 6th to 7th av..... | 4 00 | 79 91 | 8 31 | 92 22 |
| 41st st., regulating, and curb and gut'r, 8th to 9th av. | 10 50 | 264 23 | 27 05 | 301 78 |
| 27th st., regulating, 6th to 8th av..... | 24 75 | 356 51 | 38 32 | 419 58 |
| 3d av., paving, 36th to 38th st..... | 17 00 | 247 88 | 28 75 | 293 63 |
| 28th st., reg'g. & c'b & gut., & p'g, 10th av. to Hudson r. | 4 00 | 94 73 | 8 79 | 107 52 |
| 30th st., regulating, curb and gutter, 2d to 3d av.... | 35 25 | 957 09 | 76 65 | 1,068 99 |
| 8th av., paving, 43d to 50th st..... | 70 00 | 855 56 | 85 75 | 1,011 31 |
| Orange st., reg'g & c'b & gut'r, Franklin to Cross st.... | 8 00 | 89 03 | 9 15 | 106 18 |
| 35th, 36th, 37th and 38th sts., reg'g, c'b & g'r, & gr'd'g, 5th to 6th av..... | 49 25 | 2,594 43 | 253 86 | 2,897 54 |
| Batavia st., reg'g & pav'g, Roosevelt to James st.... | 2 50 | 30 44 | 2 87 | 35 81 |
| 32d st., regulating and grading, 2d to 5th av..... | 27 00 | 1,610 76 | 158 81 | 1,796 57 |

| | | | | |
|--|---------|------------|----------|------------|
| 38th st., reg'g, and curb and gutter, 10th to 11th av.. | \$11 75 | \$1,210 58 | \$124 28 | \$1,346 56 |
| 26th st., reg. curb and gutter, 10th av. to Hudson riv. | 18 75 | 1,884 23 | 180 40 | 2,033 38 |
| 44th st., " " 10th to 11th avenue... | 17 75 | 984 12 | 94 94 | 1,096 81 |
| 45th street, grading 11th ave. to Hudson river..... | 1 25 | 90 42 | 8 82 | 100 49 |
| 87th st., regulating and grading 3d to 5th ave..... | 26 00 | 701 15 | 61 71 | 788 86 |
| 3d ave., reg'g and c'b and gutter f'm 28th to 29th st. | 25 75 | 225 04 | 21 90 | 272 69 |
| 34th st., " " 10th av. to Hud'n r. | 54 00 | 1,717 73 | 148 95 | 1,920 68 |
| 87th st., regulating and paving Madison av. to 5th av. | 1 50 | 89 55 | 7 31 | 98 36 |
| 70th st., " " grading 3d av. to 4th av..... | 4 25 | 14 25 | 1 27 | 19 77 |
| Broadway, grad'g, pav'g, curb & gut., 34th to 40th st.. | 75 00 | 3,130 16 | 283 25 | 3,488 41 |
| 48th st., reg. and Macadamizing Broadway to 6th av.. | 20 00 | 4,248 88 | 357 21 | 4,626 09 |
| 84th st., reg. 4th to 5th av., and 85th st., 3d to 5th av. | 76 00 | 2,198 34 | 158 17 | 2,432 51 |
| 48th st., regulating Tenth av. to Hudson river..... | 28 00 | 331 68 | 29 44 | 389 12 |
| 25th street, " " and paving 10th av. to Hudson r. | 13 00 | 1,601 73 | 147 30 | 1,762 03 |
| Madison av., reg., paving and flagging, 23d to 26th st. | 4 00 | 139 66 | 12 88 | 156 54 |
| 14th st., paving, curb & gutter & flag. 1st av. to Av. A. | 4 00 | 350 32 | 30 43 | 384 75 |
| 31st street, paving, 8th avenue to 9th avenue..... | 16 50 | 334 30 | 29 39 | 380 19 |
| 28th " " 6th avenue to Broadway..... | | 10 00 | | 10 00 |
| 30th " " and curb, 3d av. to " "..... | | 518 13 | 45 53 | 577 41 |
| Avenue B, paving, 13th to 18th street..... | 17 00 | 309 62 | 27 05 | 353 67 |
| 29th street, " " 7th to 8th avenue..... | 11 00 | 243 64 | 20 07 | 274 71 |
| " " regulating and paving, 6th to 7th avenue.. | 8 00 | 161 38 | 12 20 | 181 58 |
| 31st st., paving and curbing, 3d to Lexington avenue. | | 70 22 | 2 13 | 72 35 |
| 11th avenue, regulat'g and grading, 33d to 43d street.. | 112 75 | 9,567 73 | 829 06 | 10,509 54 |
| 26th street, paving, Broadway to 6th avenue..... | 3 00 | 124 65 | 10 03 | 137 68 |

| DESCRIPTION OF PROPERTY. | Adverts. | Assessment. | Interest. | Total. |
|--|----------|-------------|-----------|-----------|
| 23d street, paving and flagging 10th av. to Hudson r. | \$2 75 | \$258 15 | \$22 14 | \$283 04 |
| 26th " " 6th to 8th avenue..... | 10 50 | 237 16 | 17 54 | 265 20 |
| 30th st., reg. and curb and gut'r, 10th av. to Hudson r. | 11 75 | 2,271 09 | 194 62 | 2,477 46 |
| 33d st., flagg, pav., and c'b and gutter, 6th to 8th av. | 71 25 | 2,289 60 | 184 90 | 2,545 75 |
| 88th street, regulating, 3d to 5th avenue..... | 37 50 | 1,253 95 | 98 60 | 1,390 05 |
| Lexington avenue, paving, 30th to 34th street..... | 19 50 | 653 68 | 56 90 | 730 08 |
| 22d st., curb and gutter, reg., pav., 1st av. to Av. A.. | 9 50 | 188 13 | 13 42 | 211 05 |
| 31st st., regulating and paving, 9th to 10th av..... | 21 75 | 829 05 | 63 85 | 914 65 |
| 30th st., " curb and gutter, 9th to 10th av.... | 1 50 | 207 04 | 16 45 | 224 99 |
| 30th st., paving, Broadway to 6th avenue..... | 2 50 | 45 40 | 3 71 | 51 61 |
| 40th st., regulating, and curb and gutter, 2d to 3d av. | 75 75 | 1,105 54 | 94 52 | 1,200 06 |
| 6th av. and Broadway, reg., &c., 34th to 42d st., &c.. | 2 50 | 5,118 20 | 355 26 | 5,549 21 |
| Beekman st., regulating, from Gold to Pearl street.... | 2 50 | 289 04 | 23 78 | 315 32 |
| 4th avenue, curb and gutter, 14th to 18th street..... | 12 75 | 143 96 | 9 46 | 166 17 |
| Madison av., paving, 26th to 40th street..... | 103 25 | 2,255 85 | 149 14 | 2,508 24 |
| 35th st., regulating, 1st to 2d avenue..... | | 225 10 | 21 89 | 246 99 |
| 29th st., paving, Broadway to Sixth avenue..... | | 18 61 | 1 26 | 19 87 |
| 6th avenue, regulating, 42d to 57th street..... | 81 00 | 3,867 21 | 233 95 | 4,182 16 |
| Broadway and 7th av., paving, 42d to 46th street.... | | 8,198 60 | 71 14 | 8,269 74 |
| 11th av., filling, reg. and grading, 29th to 33d st.... | | 12,890 78 | 11 96 | 12,902 74 |
| Broadway, paving and cross-walks, 40th to 42d st.... | | 1,602 38 | 32 44 | 1,631 82 |
| 35th street, regulating, curb and gutter, 1st to 2d av.. | | 841 22 | 4 82 | 846 04 |

| | \$ | \$503 75 | \$2 87 | \$506 62 |
|---|----|----------|--------|----------|
| 35th street, regulating, curb and gutter, 2d to 3d av. . . | | 1,855 76 | 10 80 | 1,866 66 |
| 17th " " Avenue A to East river. | | 1,766 81 | | 1,766 81 |
| 17th " " &c., 10th av. to Hudson river. . . | | 3,478 21 | 97 99 | 3,576 20 |
| 36th " " paving and flagging, 5th to 6th av. . . | | 1,041 92 | 9 36 | 1,051 28 |
| 15th " " Avenue A to B. | | 126 70 | 2 22 | 128 92 |
| Repav., &c., c'b & gut'r, front Nos. 57 & 59 Hoboken st. . | | 851 85 | 2 71 | 854 56 |
| Repaving West street, Duane to Jay street. | | 15 18 | 25 | 15 43 |
| Avenue A, regulating and paving, 23d to 24th st. . . . | | 244 78 | | 244 78 |
| Repav., &c., & c'b & gut'r, front Nos. 32, 34, 38 Jay st. . | | 482 06 | 22 94 | 505 00 |
| 20th street, paving, Avenue A to East river. | | 152 69 | | 152 69 |
| Repav., &c., c. & g., front Nos. 95, 98, 69 & 69½ Franklin | | 192 70 | 3 85 | 196 05 |
| 54th st., regu'g and Macadam'g, Broadway to 8th av. . | | 684 69 | 3 66 | 688 35 |
| Theatre alley, paving, Beckman to Ann street. | | 1,040 59 | 4 38 | 1,044 97 |
| 13th street, paving, Avenue B to C. | | 1,519 53 | 59 61 | 1,579 14 |
| 52d st., regulating, c'b and gut., Broadway to 10th av. . | | 426 61 | 1 33 | 427 94 |
| James st., c'b & gut'r & grad'g, Chatham to Madison. . | | 3,745 69 | 39 59 | 3,785 28 |
| 40th st., pav'g, c'b and gut'r, &c., 5th to 9th av. . . . | | 911 78 | 11 45 | 923 23 |
| 37th st., " and flagging, 5th to 6th av. | | | | |
| 39th st., curb & gutter bet. 5th and 6th av., and paving, | | | | |
| between Madison and 6th avenue. | | 4,330 18 | 36 09 | 4,366 27 |
| Duane street, repaving, Washington to West st. | | 784 20 | 11 58 | 795 78 |
| Dey st., grading and paving, Broadway to Greenwich. . | | 1,100 96 | 2 28 | 1,103 24 |
| 35th st., paving and flagging, 5th to 6th av. | | 1,880 83 | 31 68 | 1,912 51 |
| 36th st., " 8th to 10th avenue. | | 1,612 34 | 34 79 | 1,647 13 |
| 38th st., " and flagging, 4th to 7th av. | | 3,982 19 | 8 30 | 3,990 49 |

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|--|-----------|-------------|-----------|------------|
| | | | | |
| 8th avenue, regulating and grading, 84th to 108th st.. | | \$5,821 46 | \$54 20 | \$5,875 66 |
| 34th st., regulating, curb and gutter, 4th to 2d av.... | | 4,132 75 | 21 29 | 4,154 04 |
| Repav., &c., c. and g., front Nos. 4, 6, 14, &c., Leonard. | | 190 83 | 2 24 | 193 07 |
| 119th st., regulating, 2d avenue to Harlem river..... | | 3,031 31 | 52 22 | 3,083 54 |
| 83d st., " 5th to 3d avenue..... | | 902 51 | 8 19 | 910 70 |
| 11th av., reg., paving and grading, 25th to 27th st.... | | 1,028 72 | 31 19 | 1,059 91 |
| 47th st., grad'g, curb and gut'r, 10th av. to Hudson r. | | 5,276 08 | 24 33 | 5,300 41 |
| 29th st., regulating, and carb and gutter, 1st to 2d av. | | 2,567 65 | 13 40 | 2,581 05 |
| 36th st., paving, 4th to 5th avenue..... | | 982 05 | 7 40 | 989 45 |
| 37th st., regulating, 2d avenue to East river..... | | 1,234 70 | 4 12 | 1,238 82 |
| 85th st., carb and gutter, and flagging, 3d to 4th av.. | | 932 20 | 14 40 | 946 60 |
| Franklin st., reg., cb. and g., Corlandt alley to Elm. | | 94 58 | 0 87 | 95 45 |
| Broadway, reg., c. and g., and flagg'g, 46th to 51st st. | | 2,129 39 | 15 68 | 2,145 07 |
| Greenwich and Washington sts., grading and paving.. | | 11,790 90 | 44 57 | 11,835 47 |
| 6th av., regulating and paving, 34th to 42d sts..... | | 2,972 07 | 21 33 | 2,993 40 |
| 34th st., " " Broadway to 8th av.. | | 1,711 27 | 15 46 | 1,726 73 |
| 45th st., " " and grading, 3d to 5th av..... | | 5,006 40 | 6 11 | 5,012 51 |
| 10th av., reg., curb and gut., and flag, 36th to 42d st.. | | 4,210 52 | 18 67 | 4,229 19 |
| 120th st., grading, 3d avenue to Harlem river..... | | 3,033 52 | 18 51 | 3,052 03 |
| 49th st., reg., pav., c. and g., and flag, 8th to 9th av.. | | 4,162 53 | 17 08 | 4,179 61 |
| 62d st., grading, 7th to 8th avenue..... | | 204 01 | 1 01 | 205 02 |
| Broadway, grad. and Macadamizing, 51st to 59th st.. | | 1,694 11 | 20 90 | 1,715 01 |

| | \$ | \$837 63 | \$0 80 | \$838 43 |
|---|----|----------|--------|----------|
| 38th st., paving and flagging, 10th to 11th avenue.... | | 494 56 | 5 30 | 499 86 |
| 45th st., curb and gutter and flagging, 2d to 3d av.... | | 1,381 98 | | 1,381 98 |
| Cherry st., pav. and c'b and gut'r, Corlaers to East st. | | 696 33 | 2 52 | 698 85 |
| 44th st., paving, 10th to 11th av..... | | 1,399 64 | 0 70 | 1,400 34 |
| 44th st., regulating and paving, 3d to 5th av..... | | 54 44 | | 54 44 |
| 29th st., " and grading, 2d to 3d av..... | | 528 31 | 2 58 | 530 89 |
| 37th st., " and curb and gutter, 2d to 3d av. | | 551 97 | 0 20 | 552 17 |
| 19th st., paving, 1st to 2d av..... | | 1,462 08 | 1 51 | 1,463 59 |
| 45th st., grading, 10th to 11th avenue..... | | 1,840 39 | 18 55 | 1,858 94 |
| 49th st., reg., grad., curb and gutter, 6th to 8th av.... | | 1,294 47 | 6 18 | 1,300 65 |
| 11th av., curb and gutter and flagging, 43d to 48th st. | | 395 98 | | 395 98 |
| Mangin st., paving, Rivington to Stanton st..... | | 801 34 | | 801 34 |
| 36th street, " and flagging, 7th to 8th av..... | | 447 86 | 6 51 | 454 37 |
| Stanton " " Mangin st. to East river..... | | 343 12 | 1 30 | 344 42 |
| 38th " " and flagging, 8th to 9th av..... | | 4,151 30 | 7 49 | 4,158 79 |
| 45th " regulating, 2d avenue to East river..... | | 2,864 30 | 0 68 | 2,864 98 |
| 1st avenue, paving, 28th to 34th st..... | | 766 59 | | 766 59 |
| 11th " " 43d to 48th st..... | | 902 70 | 0 60 | 903 30 |
| 35th street, " Broadway to 8th avenue..... | | 757 01 | 1 27 | 758 28 |
| 38th " regulating, 2d avenue to East river..... | | 961 92 | 3 98 | 965 90 |
| 34th " curb and gutter and flagging, 4th to 5th av. | | 945 41 | | 945 41 |
| 57th, reg., grad., and Macadam's, Broadway to 8th av. | | 1,680 99 | 0 36 | 1,681 35 |
| 43d st., curb and gut'r, and flag'g, " 5th av. | | 735 96 | 1 20 | 737 16 |
| 25th st., paving, 6th avenue to Broadway..... | | 2,242 65 | | 2,242 65 |
| 48th st., curb and gutter and flagging, 8th to 10th av. | | | | |

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|---|-----------|-------------|-----------|-----------|
| 125th st., curb and gutter, 4th to 8th avenue..... | \$ | \$83 03 | | \$83 03 |
| 29th street, paving, 2d to 3d avenue..... | | 183 71 | | 183 71 |
| 83d st., flagging, and curb and gutter, 4th to 5th av.. | | 71 11 | | 71 11 |
| Rep'g, reflagging, c. & g., front of 5, 7, &c., Thomas st. | | 108 24 | 91 | 109 15 |
| 38th street, paving, 2d to 3d avenue..... | | 209 92 | 75 | 210 67 |
| Canal st., reflagging, c. & g., front of 241, 243, 245, &c. | | 158 00 | | 158 00 |
| 9th avenue, regulating and paving, 43d to 45th st.... | | 1,734 79 | 8 18 | 1,742 97 |
| 49th st., reg., curb and gutter, 10th av. to Hudson river. | | 127 96 | | 127 96 |
| 2d avenue, paving, 28th to 42d street..... | | 337 88 | | 337 88 |
| Chestnut st., reg. and flagging, Oak to Madison st.... | | 28 38 | 86 | 29 24 |
| 46th st., regulating, grading and filling, 5th to 7th av. | | 992 34 | 57 36 | 1,049 70 |
| 23d street, paving, 1st avenue to East river..... | | 122 08 | 5 22 | 127 30 |
| 37th street, regulating, grading, &c., 8th to 9th av.... | | 108 35 | 5 16 | 113 51 |
| Madison, c. & g., &c., Oliver and Catharine to Market. | | 39 04 | 1 90 | 40 94 |
| Avenue B and 13th st., paving intersection..... | | 65 34 | 4 18 | 69 52 |
| 51st st., regulating and grading, 3d to 6th avenue.... | | 11,877 02 | 527 17 | 12,404 19 |
| 10th avenue, regulating, curb & gutter, 42d to 46th st. | | 2,151 59 | 106 70 | 2,258 29 |
| 34th st., paving, and curb and gutter, 4th to 6th av.. | | 728 38 | 28 04 | 756 42 |
| 32d st., filling, grading, curb & gutter, 10th to 11th av.. | | 359 43 | 14 89 | 374 32 |
| 33d street, paving, 4th to 6th avenue..... | | 1,059 11 | 52 30 | 1,111 41 |
| 31st street, paving, Broadway to 8th avenue..... | | 317 15 | 21 27 | 338 42 |
| 31st street, paving, 4th avenue to Broadway..... | | 1,340 54 | 52 49 | 1,393 03 |

| | | | | |
|--|-------|-----------|---------|-----------|
| 35th st., reg'ing and grading, and e. & g., 8th to 9th av... | \$ | \$710 78 | \$34 07 | \$744 85 |
| 29th st., paving, Madison avenue to Broadway..... | | 193 39 | 9 40 | 202 79 |
| 16th st., paving, Avenue A to B..... | | 351 28 | 17 25 | 368 53 |
| 45th st., regulating, 2d to 3d avenue..... | | 135 54 | 5 73 | 141 27 |
| Bloomington road, reg. and grading, 59th to 71st st. | | 2,670 21 | 126 77 | 2,805 98 |
| 9th avenue, paving, 36th to 43d street..... | | 1,396 20 | 59 62 | 1,455 82 |
| 39th st., grading, 10th avenue to Hudson river..... | 65 00 | 10,180 26 | 420 82 | 10,666 08 |
| 35th st., regulating, 10th avenue to Hudson river.... | | 6,102 18 | 346 60 | 6,448 78 |
| 46th st., grading, curb & gutter, 10th av. to Hudson riv. | | 465 17 | 23 75 | 488 92 |
| 19th st., paving, curb and gutter, 1st av. to East river. | | 169 45 | 11 58 | 181 03 |
| 83d st., regulating and grading, Avenue A to 3d av.. | | 715 02 | 29 98 | 745 00 |
| Wall st., reg., paving, curb & gutter, Front to South st. | | 97 61 | 5 15 | 102 76 |
| 20th st., paving, curb and gutter, 1st avenue to Av. A. | | 186 59 | 7 56 | 194 15 |
| 27th st., paving, 10th avenue to Hudson river..... | | 528 58 | 36 68 | 565 26 |
| 23d st., paving, 8th to 7th avenue..... | | 328 76 | 14 33 | 343 09 |
| 39th st., curb and gutter, and flagging, 8th to 9th av.. | | 331 82 | 19 23 | 351 05 |
| 42d st., grading 8th to 10th avenue; also, 9th avenue.. | | 2,641 66 | 123 15 | 2,764 81 |
| 3d avenue, paving, 40th to 44th street..... | | 1,326 80 | 12 34 | 1,339 14 |
| 33d st., regulating and grading, 3d av. to East river.. | | 2,461 85 | 38 29 | 2,500 14 |
| 34th st., paving, curb and gutter, 9th to 10th av..... | | 2,468 10 | 68 79 | 2,536 89 |
| 30th st., paving, 10th avenue to Hudson river..... | | 2,113 03 | 115 85 | 2,231 38 |
| 14th st., paving, Avenue A to B..... | 2 50 | 1,625 97 | 16 17 | 1,642 14 |
| 21st st., paving, 1st avenue to East river..... | | 1,001 86 | 5 11 | 1,006 97 |
| Old slip, raising, paving, e. & g., Front to South st.... | | 356 30 | 2 66 | 358 96 |
| 38th st., regulating, curb and gutter, 2d to 3d av..... | | 508 52 | 18 16 | 526 68 |

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | Total. |
|--|-----------|-------------|-----------|----------|
| | | | | |
| Mulberry st., reg., c. & g., Prince to Houston st..... | \$ | \$73 62 | \$1 05 | \$74 67 |
| 46th st., regulating and grading, 8th to 10th av..... | | 6,948 38 | 74 61 | 7,022 99 |
| 51st street, regulating and paving, &c., 8th to 10th avenue..... | | 1,998 13 | | 1,998 13 |
| 8th av., regulating and grading, 120th to 125th st.... | | 1,548 22 | 23 32 | 1,571 54 |
| 3d avenue, paving, 38th to 40th street..... | | 1,534 36 | 10 03 | 1,544 39 |
| 50th st., regulating and Macadamizing, 8th to 9th av.. | | 899 38 | 6 82 | 906 20 |
| Madison av., regulating and paving, 40th to 42d st.... | | 1,603 51 | 1 26 | 1,604 77 |
| 44th street, paving, 8th to 9th avenue..... | | 836 82 | 6 67 | 843 49 |
| 8th avenue, regulating and grading, 125th to 128th st. | | 438 63 | 3 25 | 441 88 |
| Wall street, regulating, Pearl to Water street..... | | 110 27 | 63 | 110 90 |
| 42d street, regulating, 2d to 3d avenue..... | | 2,432 84 | | 2,432 84 |

The amount of money received for Flagging, during the year 1853, of which the following is a schedule.

Amount received for Advertising, two hundred and thirty-one dollars and seventy-five cents (\$231 75). Amount received on Assessments, is sixteen thousand five hundred and fifty-seven dollars and seventy-one cents (\$16,557 71). Amount received for Interest, is five hundred and ten dollars and sixty-four cents (\$510 64).

Total amount received for Flagging, is seventeen thousand three hundred dollars and ten cents (\$17,300 10).

DESCRIPTION OF PROPERTY.

| | Advertis. | Assessment. | Interest. | Total. |
|---|-----------|-------------|-----------|---------|
| Flagging Avenue A, from 14th to 23d street..... | \$4 25 | \$50 74 | \$8 36 | \$63 35 |
| " 26th street, from 9th to 10th avenue..... | 2 50 | 15 16 | 2 63 | 20 29 |
| " 8th avenue, from 42d to 53d street..... | 19 00 | 237 34 | 34 11 | 290 45 |
| " 27th street, from 4th to 5th avenue..... | 1 00 | 9 58 | 4 13 | 14 71 |
| " 23d st., 4th av. to Broadway; also, 15th st. | 1 25 | 1 63 | 35 | 3 23 |
| " 31st street, from 4th avenue to Broadway.. | 2 50 | 83 43 | 18 73 | 104 66 |
| " Madison av., 28th to 32d, 3d av., 30th to 42d.. | 1 25 | 2 66 | 72 | 4 63 |
| " 30th street, from 8th to 9th avenue..... | 2 75 | 17 68 | 2 57 | 23 00 |
| " 19th street, from Broadway to 6th avenue.. | 2 50 | 19 14 | 3 66 | 25 30 |
| " 36th street, from 9th to 10th avenue..... | 6 25 | 53 10 | 10 15 | 69 50 |
| " Amity and Wooster, in front burying ground. | 1 50 | 271 68 | 49 87 | 323 05 |
| " Madison avenue, 27th to 29th street..... | 5 25 | 29 04 | 4 27 | 38 56 |
| " 32d street, 6th to 8th avenue..... | 3 75 | 38 16 | 5 48 | 47 39 |

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | Total. |
|--------------------------|---|-----------|-------------|-----------|----------|
| Flagging | 32d street, 9th to 10th avenue..... | \$8 75 | \$131 99 | \$16 48 | \$157 22 |
| " | 86th street, 3d to 4th avenue..... | 4 00 | 62 09 | 6 02 | 72 11 |
| " | 30th street, 5th avenue to Broadway..... | 10 00 | 212 73 | 24 20 | 246 93 |
| " | 12th street, Avenue B to C..... | 2 50 | 33 26 | 3 88 | 39 64 |
| " | West street, Harrison to Vestry street.... | 5 25 | 180 17 | 16 16 | 201 58 |
| " | 38th street, 9th to 10th avenue..... | 57 50 | 700 83 | 65 22 | 823 55 |
| " | 37th street, 5th to Madison avenue..... | 11 25 | 238 91 | 22 31 | 272 47 |
| " | 25th street, 6th to 7th avenue..... | 10 25 | 114 36 | 11 05 | 135 66 |
| " | 37th street, 5th to 6th avenue..... | 6 75 | 81 95 | 7 11 | 88 86 |
| " | 13th street, 2d to 3d avenue..... | 2 75 | 102 77 | 2 11 | 107 66 |
| " | 11th street, 6th to 7th avenue..... | 2 75 | 2 56 | 1 11 | 5 49 |
| " | 7th street, 1st to 2d avenue..... | 1 25 | 3 75 | 40 | 5 40 |
| " | 18th street, 3d avenue to Irving place..... | 17 25 | 57 | 05 | 2 12 |
| " | 40th street, 3d to 4th avenue..... | 30 75 | 331 78 | 24 91 | 373 94 |
| " | 10th street, and in 33d street..... | 1 50 | 407 91 | 33 20 | 471 86 |
| " | 24th street, 7th to 8th avenue..... | 4 00 | 74 31 | 4 75 | 80 56 |
| " | 25th street, 1st to 2d avenue..... | | 95 51 | 6 63 | 106 14 |
| " | 122d street, 3d avenue to Harlem river.... | | 1,479 89 | 7 29 | 1,487 18 |
| " | 24th street, 5th to 6th avenue..... | | 45 99 | | 45 99 |
| " | Broadway, west side, No. 865 to 18th st.... | | 64 72 | | 64 72 |
| " | 27th street, 8th to 9th avenue..... | | 94 24 | 1 99 | 96 23 |
| " | 30th street, 10th avenue to Hudson river... | | 495 89 | 8 47 | 504 36 |

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | Total. |
|--|-----------|-------------|-----------|----------|
| | | | | |
| Flagging 2d street, 1st avenue to Avenue A..... | \$ | \$270 40 \$ | | \$270 40 |
| " 14th street, between Avenues A and B..... | | 127 77 | | 127 77 |
| " southerly cor. 41st st. and 6th av | | 61 16 | | 61 16 |
| " Madison avenue, 23d to 40th street..... | | 825 18 | 40 50 | 865 68 |
| " 13th street, Avenue B to C..... | | 152 97 | 10 44 | 163 41 |
| " 30th street, 7th to 8th avenue..... | | 12 78 | 56 | 13 34 |
| " 37th street, 9th to 10th avenue..... | | 13 00 | 67 | 13 67 |
| " 11th street, Avenue C to B..... | | 156 42 | 8 71 | 165 13 |
| " 6th street, Avenue C to B..... | | 19 18 | 44 | 19 62 |
| " Fulton st., front of Nos. 54, 56, 58, 60, &c.. | | 21 78 | 45 | 22 23 |

The following is a schedule of the amount of money received during the year 1853, on Bulkheads, viz :

Amount received on Assessments is one hundred and twenty dollars and seventy-one cents, (\$120 71.) Amount received on Interest is forty-one dollars and twenty-three cents, (\$41 23.) Total amount of money received on Bulkheads, is one hundred and sixty-one dollars and ninety-four cents, (\$161 94.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL |
|-----------------------------------|-----------|-------------|-----------|---------|
| | | | | |
| Pike slip and bulkhead..... | \$ | \$40 00 | \$37 96 | \$77 96 |
| Grand street " filling slip | | 80 71 | 3 27 | 83 98 |

The amount of moneys received for Fencing Lots, of which the following is a schedule.
 The amount received for Advertising is one hundred and thirty dollars and fifty cents,
 (\$130 50.) The amount received on Interest is one hundred and sixteen dollars and fifty-one
 cents, (\$116 51.)
 Total amount received for Fencing Lots is two thousand two hundred and sixty-two dollars
 and sixty-seven cents, (\$2,262 67.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|--|-----------|-------------|-----------|---------|
| | | | | |
| Fencing lots Nos. 643 and 645 Water street..... | 1 50 | \$22 78 | \$4 01 | \$28 29 |
| 28th and 29th sts., do.; Mad'n av. & 13th st., n. 4th av. | 2 50 | 8 60 | 2 42 | 13 52 |
| Fencing lots bet. 5th and 7th avs., on 23d st..... | 2 50 | 13 70 | 1 98 | 18 18 |
| “ on 33d and 34th sts, 6th av. and Br'dway. | 12 25 | 103 60 | 13 40 | 129 25 |
| “ bet. 30th, 31st & 32d sts, 5th av. & “ | 27 50 | 192 98 | 25 38 | 245 86 |
| “ on 14th and 15th sts., bet. 1st and 2d avs. | 17 75 | 142 59 | 19 16 | 179 50 |
| “ on 5th av., bet. 27th and 29th sts..... | 2 50 | 8 35 | 1 10 | 11 95 |
| “ Madison av., bet. 28th and 29th sts..... | 6 25 | 30 78 | 4 16 | 41 19 |
| “ betw. 7th and 8th avs., 29th and 33d sts.; and between 6th and 7th avs..... | 22 50 | 127 32 | 12 81 | 162 63 |
| “ on 31st to 33d sts., and 6th and 7th avs.. | 4 00 | 44 55 | 6 73 | 55 28 |
| “ on 25th & 26th sts., bet. 6th av. & B'way. | 4 00 | 25 42 | 1 90 | 31 32 |
| “ on 34th and 35th sts., 5th av. and “ | 13 25 | 122 49 | 8 46 | 144 20 |
| “ 2d av. and 15th st., and bet. 1st & 2d av. | 3 75 | 8 49 | 0 61 | 12 85 |
| “ on 19th and 20th sts., 5th and 6th avs... | | 6 98 | 0 59 | 7 57 |

The amount of moneys received for Filling Lots during the year 1853, of which the following schedule shows, viz :

The amount received for Advertising is two hundred and twenty-five dollars and fifty cents, (\$225 50.) The amount received on Assessments, is twenty thousand seven hundred and sixty-five dollars and fifty-eight cents, (\$20,765 58.) Amount of Interest collected on the same, is two thousand and eighty dollars and forty cents, (\$2,080 40.)

Total amount received for Filling Lots is twenty-three thousand and seventy-one dollars forty-eight cents, (\$23,071 48.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | Total. |
|---|-----------|-------------|-----------|----------|
| | | | | |
| 17th street, filling, between Avenue B and East river. | \$1 50 | \$576 21 | \$93 75 | \$671 46 |
| Delancey street, slip filling, Tompkins bulkhead..... | 20 25 | 16 43 | 2 91 | 39 59 |
| Filling lots bet. 35th and 38th sts., 2d av. and East r. | 7 00 | 619 67 | 103 31 | 729 98 |
| " " 11th and 12th sts., Avenues B and C. | 4 50 | 101 57 | 16 13 | 122 20 |
| " " 9th and 10th sts., " " " | 2 75 | 68 28 | 9 02 | 80 05 |
| " " " " " " " | 5 50 | 177 12 | 26 33 | 208 95 |
| Filling & draining lots bet. 43d and 46th sts., 10th av. and Hudson river | 6 50 | 33 61 | 5 42 | 45 53 |
| Fill'g and d'n'g lots bet. 43d & 46th sts., 9th & 10th avs. | 5 00 | 287 38 | 41 40 | 333 78 |
| " " " 40th & 41st sts., 8th to 9th av. | 8 75 | 424 82 | 66 93 | 500 50 |
| " " " 41st & 42d sts., " " | 1 50 | 107 51 | 15 19 | 124 20 |
| " " " 37th & 40th sts., " " | 1 25 | 114 45 | 22 75 | 135 45 |
| " " " 9th & 10th avs, 38th & 39th s. | 2 75 | 27 31 | 3 84 | 33 90 |

| | | | | |
|---|---------|-----------|----------|-----------|
| Draining lots bet. 7th and 8th avs., 35th and 37th sts.. | \$12 50 | \$46 00 | \$6 13 | \$64 63 |
| " " " 5th av. & Br'dway, 31st & 32d sts. | 5 50 | 43 82 | 5 73 | 55 05 |
| " lots bet. 12th and 13th sts., Avenues A and B.. | 4 00 | 129 98 | 16 05 | 150 03 |
| " " in 14th street, between 1st and 2d avenues. | 8 75 | 190 76 | 22 27 | 221 78 |
| " " " 24th " 9th and 10th " | 1 50 | 9 02 | 0 96 | 11 48 |
| " " bet. 30th and 31st sts., 4th and Madison avs. | 1 25 | 41 72 | 4 62 | 47 59 |
| " " " 13th and 14th sts., 1st av. and Av. A.. | 4 25 | 135 69 | 13 73 | 153 67 |
| " " " 34th and 35th sts., 7th av. and Br'dway. | 1 50 | 4 99 | 0 51 | 7 00 |
| " " " 40th and 43d streets, 10th and 11th avs. | 61 25 | 14,143 64 | 1,306 22 | 15,511 11 |
| " " " Old Post road, 1st av., 48th to 50th sts. | 6 00 | 821 89 | 76 13 | 904 02 |
| " " " 40th and 41st sts., 7th and 8th avenues. | 1 50 | 42 85 | 3 70 | 48 05 |
| " " " 44th and 45th streets..... | 1 25 | 117 63 | 10 70 | 129 58 |
| " " " 36th and 37th sts., 5th and 6th avenues. | 21 75 | 1,491 51 | 95 11 | 1,608 37 |
| Dr'n'g lots bet. 37th and 40th sts., Br'dway and 6th avs. | 17 25 | 83 72 | 5 47 | 106 44 |
| Fill'g " " 37th and 38th sts., 6th av. and Br'dway. | 10 00 | 53 49 | 3 47 | 56 96 |
| " " " 30th and 32d sts., 3d and 4th avenues.. | | 550 01 | 94 26 | 654 27 |
| " " " 34th and 35th sts., 1st and 2d " " | | 75 87 | 2 82 | 78 69 |
| " " " 19th and 20th sts., " " " | | 231 63 | 5 54 | 237 17 |

The amount of money received for Opening and Widening Streets &c., during the year 1853, which the following schedule shows, viz.:

The amount received for Advertising is fifty-eight dollars. The amount received on Assessments is two hundred and twenty-two thousand and sixty-seven dollars and thirty-five cents. The amount received for Interest is two thousand four hundred and fifty-three dollars and sixty-five cents.

Total amount received on opening and widening streets, &c., is two hundred and twenty-four thousand five hundred and seventy-nine dollars (\$224,579.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|---|-----------|-------------|-----------|------------|
| | | | | |
| Dey st., widening, Broadway to Greenwich st..... | \$2 75 | \$235 00 | \$30 11 | \$267 86 |
| Bloomington road, wid'g, Br'dway, 7th av. to 50th st. | 15 50 | 1,633 51 | 260 68 | 1,909 69 |
| " " 25th st. to 7th av..... | 1 00 | 507 00 | 232 32 | 740 32 |
| " " opening, 7th av. to 10th av..... | 1 25 | 210 00 | 54 49 | 265 74 |
| Lexington av. opening, 42d to 46th st..... | 34 50 | 1,995 25 | 264 60 | 2,294 35 |
| 78th st., opening, 3d to 5th av..... | | 45 48 | 4 55 | 50 03 |
| 59th st., opening, 8th to 10th av..... | 3 00 | 1,093 35 | 97 43 | 1,193 78 |
| Bloomington road, widening, 10th av. to 86th st.... | | 3,735 19 | 197 23 | 3,932 42 |
| 59th st., opening, 5th av. to Broadway..... | | 610 30 | 28 96 | 639 26 |
| Liberty st., widening, Broadway to Greenwich st.... | | 9,431 56 | 193 03 | 9,624 59 |
| Beekman st., widening, Park row to Pearl st..... | | 193,789 00 | 906 47 | 194,695 47 |
| 62d st., opening, 5th to 8th av..... | | 1,576 00 | 26 97 | 1,602 97 |
| 120th st., opening, 4th to 6th av..... | | 985 25 | 4 92 | 990 17 |

The amount received for Wells and Pumps, during the year 1853, of which the following is a schedule, viz:

The amount received for Advertising is nine dollars (\$9 00.) Amount received on Assessments, one thousand one hundred and one dollars and forty-four cents (\$1,101 44.) Amount of Interest received on the same, is twenty-five dollars and forty-three cents (\$25 43.)

Total amount collected on Wells and Pumps is one thousand one hundred and thirty-five dollars and eighty-seven cents (\$1,135 87.)

| DESCRIPTION OF PROPERTY. | | Advertis. | Assessment. | Interest. | Total. |
|---|------|-----------|-------------|-----------|---------|
| Well & Pump in 48th st., between Broadway & 8th av. | | \$6 25 | \$45 16 | \$5 24 | \$56 65 |
| Well and Pump in 54th st., 5th and 6th av. | | 1 25 | 8 67 | 1 00 | 10 92 |
| Well and Pump in 53d st., 4th and Lexington av. | | | 126 18 | 2 54 | 128 72 |
| Well north side 46th st., between 2d and 3d avs. | | | 41 25 | 15 | 41 40 |
| Well and Pump in 54th st., between 9th and 10th avs. | | | 109 03 | 72 | 109 75 |
| “ “ in 57th st., between Broadway & 7th av. | | | 68 76 | 1 04 | 69 80 |
| “ “ in 83d st., between 4th and 5th avs. | | | 245 00 | 18 | 245 18 |
| “ “ in 54th st., between 6th and 7th avs. | 1 50 | | 126 54 | 9 08 | 137 12 |
| “ “ in 49th st., between 6th and 7th avs. | | | 78 68 | 2 95 | 81 63 |
| “ “ at southerly cor. 1st av. and 119th st. . | | | 17 46 | 57 | 18 03 |
| “ “ in 56th st., between 1st and 2d avs. | | | 234 71 | 1 96 | 236 67 |

The amount of money received on Cross-walks, during the year 1853, of which the following is a schedule, viz :

The amount for Advertising is one hundred and twenty-five dollars and fifty cents (\$125 50.) Amount received on Assessments is seven hundred and fifty-two dollars and fifty cents (\$752 70.) Amount of Interest received on the same is forty-eight dollars and eighty-six cents (\$48 86). Total amount received on Cross-walks is nine hundred and twenty-seven dollars and six cents (\$927 06.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|--|-----------|-------------|-----------|--------|
| | | | | |
| Hammersly and Bedford sts., Cross-walks to Smith st. | \$1 50 | \$6 51 | \$ 92 | \$8 93 |
| 14th, 15th, 16th & 17th sts., Cross-walks at Union Park. | 3 75 | 22 70 | 4 26 | 30 71 |
| Madison st., Cross-walks from Rutgers Institute..... | 1 25 | 3 90 | 50 | 5 65 |
| 3d av., Cross-walks, 80th to 86th st..... | 114 00 | 323 04 | 36 85 | 473 89 |
| Gouverneur slip and South, st., Cross-walks..... | | 20 11 | 1 40 | 21 51 |
| 6th av., Cross-walks, 10th, 11th, 12th & 13th sts..... | 5 00 | 3 27 | 33 | 8 60 |
| Battery place, Cross-walks, opposite No. 6..... | | 45 16 | 3 75 | 48 91 |
| Cross-walks corner Grand to Hudson, to cor. Grand and Lewis..... | | 65 72 | 11 | 65 83 |
| Cross-walks, intersection Pine and Front sts..... | | 258 18 | 55 | 258 73 |
| Cross-walks, 4th st., Union Church, bet. avs. B and C.. | | 4 11 | 19 | 4 30 |

The amount of money received on Basins and Culverts, during the year 1853, of which the following is a schedule, viz :

The amount received for Advertising is ten dollars and twenty-five cents. Amount received on Assessments is two thousand and seventy-eight dollars and sixty-eight cents (\$2,078 68.) Amount received on Interest on the same is twenty dollars and ninety-two cents (\$20 92.)

Total amount received on Basins and Culverts is two thousand one hundred and nine dollars and eighty-five cents (\$2,109 85.)

| DESCRIPTION OF PROPERTY. | Advertis. | Assessment. | Interest. | TOTAL. |
|--|-----------|-------------|-----------|---------|
| | | | | |
| 29th st. and 11th ave., Receiving Basins and Culverts. | \$2 75 | \$10 94 | \$1 17 | \$14 86 |
| 2d av., corner of 24th st., Basins and Culverts..... | 7 50 | 102 24 | 9 36 | 119 10 |
| Grand st., intersection Essex and Norfolk sts..... | | 463 65 | 4 99 | 468 64 |
| Basins and Culverts, corner 22d st. and 3d av..... | | 147 82 | | 147 82 |
| “ “ corner 14th st. and 1st av..... | | 237 18 | 1 58 | 238 76 |
| “ “ corner Market and South sts..... | | 539 91 | | 539 91 |
| Elm and Leonard sts., Basins and Culverts..... | | 37 64 | 1 55 | 39 19 |
| Delancey and Chrystie sts., Basins and Culverts..... | | 185 26 | | 185 26 |
| 3d av., Basins and Culverts, corner of 33d st..... | | 354 04 | 2 27 | 356 31 |

The following are the amounts that have been collected for the year 1853, on Liens from the City Inspector's Department, viz:

| | |
|--|----------|
| Emptying sinks at No. 16 Grand street..... | \$17 28 |
| " " " 178, 180 and 182 Cham- bers street..... | 18 00 |
| " " " 515 Houston street.... | 30 05 |
| " " " 114 Mulberry " | 32 00 |
| " " " 351 Houston " | 20 00 |
| Removal of stagnant water from cistern of No. 318 Pearl street..... | 7 68 |
| Filling in cistern at No. 318 Pearl street..... | 17 25 |
| Empty'g sink at Nos. 171 and 173 West 21st st. | 23 52 |
| " " No. 20 Mulberry street..... | 19 20 |
| " " " 191 Tenth avenue..... | 30 72 |
| " " " 212 Seventh " | 8 64 |
| " " " 210 " " | 6 48 |
| " " " 218 and 220 Seventh ave.. | 15 68 |
| " " " 222 " " " .. | 7 84 |
| " " " 214 and 216 " " .. | 20 16 |
| " " " 69 West Eighteenth street. | 8 80 |
| " " " 282 Greenwich street.... | 10 00 |
| " " " 338 Pearl " | 11 20 |
| " " " 29 Oak " | 11 20 |
| " " and cleaning yard and cesspool at No. 338 Pearl street..... | 32 00 |
| " " No. 8 East Twenty-fifth street.. | 20 00 |
| " " " 54 Canal street | 10 00 |
| Carried forward..... | \$377 70 |

| | |
|--|-----------------|
| Brought forward..... | \$377 70 |
| Emptying sink at Nos. 283, 285, 287, 289, 291, 293, 295 & 297 First av. | 69 04 |
| " " " 428 Eighth avenue..... | 10 00 |
| " " " 430 " " | 10 00 |
| " " " 470 Broome street..... | 15 00 |
| " " " 70 Oliver " | 25 00 |
| Total..... | <u>\$506 74</u> |

The amount of money collected from the 1st of January, 1853, to the 1st of January, 1854, on the following improvements, that is to say, on opening streets, sewerage, paving, regulating and grading, flagging, curb and gutter, filling lots, fencing lots, liens from City Inspector's Department, is nine hundred and fifty-one thousand, three hundred and sixteen dollars and forty cents, (\$951,316 40.)

All of which is respectfully submitted.

Yours, &c.,

ISAAC EDWARDS,

Collector of Assessments.

DOCUMENT No. 9.

BOARD OF ALDERMEN,

JANUARY 18, 1854.

The following communication from the Comptroller, in reply to resolutions relating to Salaries and Appropriations for extra services, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York Jan, 18, 1854. }

To the Board of Aldermen :

The Comptroller, in compliance with the following resolution, viz :

" *Resolved*, That the Comptroller be, and he is hereby requested to report to this Board, at an early day, all salaries that have been increased since January, 1852 ; what the salary of each one was before said increase ; and what the salaries now are, and how much the salary of each one has been increased during the past year ; and to state whether, in his opinion, said increase was truly necessary ; and how much the taxes must be increased to meet the above increase of salaries."

Respectfully submits the annexed statement of salaries, with the increase made during the year 1853, which was submitted to the Board of Councilmen on the 12th inst. ; and also adds thereto the increase made during the year 1852.

All of which is respectfully submitted.

A. C. FLAGG,
Comptroller.

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
January 10, 1854. }

To the Board of Councilmen:

The Comptroller, in obedience to the following resolutions, viz :

" *Resolved*, That the Comptroller be, and he is hereby requested to report to this Board a detailed statement of the salaries received by all officers under the City Government, as they are fixed at the present time ; also, of the amounts that the same have been increased the past year, and any further suggestions he may make in connection therewith; and especially what salaries, or other compensation to city officers have been increased by the action of the Common Council, since the 6th of November, 1853; specifying the officers to whom such increase has been made, the amount previously paid, the increase so provided for, and the aggregate amount of the increase."

" *Resolved*, That the Comptroller be, and he is hereby requested, on making his response to the resolutions of this date, to add thereto any information which may be in his office, on the following subjects :

Whether any salaries that were increased, since 6th November, 1853, were anti-dated; and, if so, the officers to whom such allowance has been made, and the amount thereof; also, whether any compensation has been allowed to any officers, for alleged extra services."

Respectfully submits the annexed statement marked A, which shows, under appropriate heads,

1. The amount of salaries, as fixed at the present time.
2. A designation of those which have been increased during the last year, and the date of the resolution making the increase.
3. A recapitulation of the amount of salaries increased.

In the recapitulation, the increase of those "salaries," which are given in the Comptroller's report of estimates, of November 23, page 247, statement No. 16, is shown to be twenty-eight thousand six hundred and fifty-four dollars. This does not agree exactly with the statement given at page 158, of the report before referred to, for the reason, that the salaries of numerous persons were raised after the making of that report, some of them on the very last day of the year.

The salaries of the police officers have been increased to the amount of about one hundred and thirty-eight thousand dollars. A resolution was also passed, on the 30th of December last, fixing the salary of the Commissioner of Jurors at two thousand five hundred dollars. This officer has, heretofore, received only the fees paid to him. No account of fees has, heretofore, been rendered by the Commissioner of Jurors, and no provision is made in the resolution, giving that officer this liberal salary, that he

shall, in consideration of it, account for and pay the fees into the treasury. This two thousand five hundred dollars, therefore, is probably intended as an increase to the compensation of the Commissioner of Jurors, and is accordingly included in the item of salaries increased. The footing of all the increases is as follows :

| | |
|---|-----------|
| Salaries as given in statement No. 16, of estimate. | \$28,654 |
| “ of Police | 138,000 |
| “ of Commissioner of Jurors | 2,500 |
| “ of fifty-two Doormen | 5,200 |
| | <hr/> |
| | \$174,354 |

The dates of the several resolutions referred to in the preceding part of this report, will show the increases made since the 6th of November last.

In regard to extra compensation, and anti-dating resolutions for increased compensation, the following statement gives the views of the Comptroller, and the facts within his knowledge.

When the numerous resolutions of the Common Council, increasing salaries, and directing the increase to cover a period of six months, and a year previous, were showed on the Finance Department, the Comptroller informed the parties interested that the appropriation for salaries, and for compensation for police, were not such as to enable him to pay the same in 1853, nor until a new appropriation was made. And in regard to the extra allowances for past services, the charter prohibited payment at any time, or under any circumstances.

The 10th section of the amended charter of 1853, reads as follows :

§ 10. "No additional allowance beyond the legal claim, under any contract with the Corporation, or for any service on its account or in its employment, shall ever be allowed."

A distinction, however, was taken between *county* officers and *city* officers; those who were regarded as county officers, and whose compensation was raised by the Aldermen acting in their capacity as Supervisors of the county, could have an addition made to their back pay, inasmuch as the prohibition in the 10th section was confined to contracts made by the "Corporation." The Comptroller, therefore, has excluded from the estimate for 1854, all sums proposed to be given as a reward for past services of officers of the "Corporation," and has included in the estimate the proposed compensation for past services to such persons as are considered county officers. Leaving the question of payment to be decided by a reference to the Counsel of the Corporation; but as the appropriation has been unexpectedly neglected by the former Common Council, and necessarily referred to this, the whole matter of an appropriation is in their hands.

The raising of salaries, and the adoption of resolutions for extra compensation in every month in the year is embarrassing to the Finance Department, and in many other respects objectionable. When a person solicits an appointment, and enters on his duties at a fixed compensation, he is obligated to serve faithfully in the trust confided to him for a year or three years, and be content with his wages. If by any change in the price of the necessaries of life, there is good cause for an increase, the whole ground of service should be looked over, justice done to all, and such increase as is decided on, should be made to

take effect after the period fixed for making an appropriation to pay the increase. If the increases, in all cases, have been made to those who have been most diligent in the discharge of their duties, and not to those who hang about the halls, and other places, where their official duties do not call them, then no objection can be made to the increase, on account of being out of season, and in convenient to this Department.

There is an ordinance, however, which discountenances these irregular allowances, if it does not absolutely forbid many of them. It is as follows, and was passed in 1849 :

“ § 491. No officer of the Corporation who shall receive a fixed salary or rate of compensation for his services, which he may render to the Corporation, or which may be required of him by an ordinance or resolution of the Common Council, the Board of Supervisors, or the Board of Health, unless provision be expressly made for such extra compensation by the ordinance or resolution requiring the service.”

On the 14th of December, *the Board of Supervisors* increased the salaries of the Receiver of Taxes, from two thousand to three thousand dollars, and others in his bureau as shown in statement A. By the 3d section of the act, chapter 230, of the laws of 1843, the Receiver of Taxes is placed at the head of a Bureau in the Finance Department; and the same section provides that he “ shall receive an annual salary not exceeding two thousand dollars, and his deputy, a salary not exceeding fifteen hundred dollars, to be paid to them by the Mayor, Aldermen and Commonalty.”

If there is no subsequent law changing this section,

the Receiver, and those in his bureau, are Corporation officers, and their salaries, if increased at all, should be done by the Common Council, and not the Board of Supervisors.

The appointment of bell-ringers, authorized by ordinance, December 31, 1853, at an annual compensation of six hundred dollars, is an increase of salaries, the duties heretofore having been performed by the members of police, it appears that there have been about twenty already appointed.

Statement marked B, will give the appropriation for extra services, amounting in the aggregate to seven thousand four hundred and sixty-nine dollars and twenty-two cents.

All of which is respectfully submitted.

A. C. FLAGG,
Comptroller.

(A)

SALARIES.

LEGISLATIVE DEPARTMENT.

| | | | |
|--|-------------------|---------|--|
| Clerk of Common Council, Supervisors and Board | | | |
| of Health..... | D. T. Valentine. | \$2,350 | |
| Deputy Clerk, Common Council.. | J. H. Chambers. | 1,500 | |
| 1st Asst. " Board of Aldermen. | Joseph B. Young. | 1,000 | |
| 2d " " " | Reeves E. Selmes. | 1,000 | |
| 3d " " " | Alfred Cooper. | 700 | |
| Carried forward..... | | \$6,550 | |

| | | |
|----------------------------------|-----------------------|-----------------|
| Brought forward..... | | \$6,550 |
| Reader to Board of Aldermeu | ————— | 250 |
| Messenger | “ Horatio N. Parker. | 750 |
| Sergeant-at-arms | “Weed. | 600 |
| Clerk of Board of Councilmen. | C. T. McClenachan. | 2,000 |
| Deputy Clerk | “J. A. Towle. | 600 |
| Reader | “ ————— | 250 |
| Reporter | “ ————— | 150 |
| Sergeant-at-arms | “N. M. Slidell. | 700 |
| Librarian of Common Council..... | T. S. Nims. | 250 |
| Clerk to Clerk | “ ..F. E. Westbrook. | 650 |
| Reader Board of Supervisors..... | | 150 |
| | | <u>\$12,900</u> |

Salaries Increased.

Third Assistant Clerk, Common Council, by resolution August 10, 1853 ; increased from \$400 to \$700, to take effect from August 1st.

Messenger to Board of Aldermen, by resolution of February 16, 1853, increased from \$600 to \$750, to take effect January 1, 1853.

Deputy Clerk of Board of Assistant Aldermen, by resolution March 18, 1853 ; salary fixed at \$600.

Sergeant-at-arms, Board of Assistant Aldermen, N. M. Slidell ; resolution December 31, 1853 ; increased from \$600 to \$700.

POLICE DEPARTMENT.

| | | |
|----------------------|-------------------|----------------|
| Mayor..... | J. A. Westervelt. | \$3,000 |
| Mayor's Clerk..... | Charles Burdett. | 1,250 |
| Carried forward..... | | <u>\$4,250</u> |

| | |
|---|-----------------|
| Brought forward..... | \$4,250 |
| Mayor's First Marshal.....G. G. Glazier. | 1,250 |
| " Messenger and Clerk..G. W. Hinchman. | 1,000 |
| Two Justices 1st District Police..Stuart & Welch. | 4,000 |
| " Clerks " " | 2,500 |
| " Justices 2d " Bogart & McGrath. | 4,000 |
| " Clerks " " | 2,500 |
| " Justices 3d " Osborne & Wood. | 4,000 |
| " Clerks " " | 2,500 |
| Scrivener..... | 800 |
| | <u>\$26,800</u> |

Salaries Increased.

Mayor's Messenger, G. W. Hinchman ; salary increased by resolution, September 16, 1853, from \$750 to \$1,000 ; to take effect September 1, 1853.

FINANCE DEPARTMENT.

| | |
|--|--------------------|
| Comptroller.....A. C. Flagg. | \$3,000 00 |
| Clerk to the Comptroller. ....A. S. Cady. | 1,000 00 |
| Auditor.....James Timpson. | 1,500 00 |
| Book-keeper..... | 1,200 00 |
| Stock Clerk.....W. H. Dikeman. | 1,200 00 |
| Redemption Clerk.....Augt. Purdy. | 1,000 00 |
| Assistant Auditor.....C. Vantine. | 1,000 00 |
| Collector of City Revenue.....Joseph Rose. | 3,675 77 |
| | <u>\$13,575 77</u> |

BUREAU OF TAXES.

| | |
|------------------------------------|---------|
| Receiver of Taxes.....Harvey Hart. | \$3,000 |
| Deputy "W. A. Darling. | 2,500 |
| Carried forward..... | \$5,500 |

| | |
|---|-------------------------|
| Brought forward..... | \$5,500 |
| First Clerk to Receiver..... | John P. Hone. 2,000 |
| Second " " | H. K. Frost. 1,200 |
| Third " " | J. S. Vredenburg. 1,200 |
| Fourth " " | J. W. Farr. 1,200 |
| Six extra Clerks for six months, \$3 per day..... | 2,808 |
| Messenger..... | Peter Fargis. 700 |
| | <u>\$14,608</u> |

Salaries Increased.

By resolution of Board of Supervisors, December 14, 1853, the salary of the Receiver of Taxes was increased from \$2,000 to \$3,000; Deputy Receiver of Taxes, from \$1,500 to \$2,500; First Clerk, from \$1,200 to \$2,000; Second, Third and Fourth Clerks, from \$700 to \$1,200; Messenger, from \$600 to \$700; all to take effect January 1, 1854.

BUREAU OF DEPOSIT AND DISBURSEMENT.

| | |
|------------------|----------------------|
| Chamberlain..... | F. W. Edmonds. \$500 |
| Clerk to " | J. Burke. 400 |
| | <u>\$900</u> |

BUREAU OF CITY HALL AND PARK.

| | |
|-----------------------------------|-----------------------|
| Keeper of City Hall and Park..... | James Taylor. \$1,000 |
|-----------------------------------|-----------------------|

DEPARTMENT OF STREETS AND LAMPS.

| | |
|--|-------------------------------|
| Commissioner of Streets and Lamps..... | H. Arcularius, jr. \$1,500 00 |
| Clerk to Commissioner of Streets and Lamps..... | J. Coles. 800 00 |
| Carried forward..... | <u>\$,200 300</u> |

| | |
|---|------------------------------------|
| Brought forward..... | \$2,300 00 |
| Superintendent of Lamps and | |
| Gas | W. H. Douglass. 1,500 00 |
| Superintendent of Lamps, for horse and wagon. | 250 00 |
| Clerk to " | I. Vermilia. 600 00 |
| Superintendent of Streets..... | G. White. 1,500 00 |
| Clerk of " | R. Walmsley. 700 00 |
| Superintendent of Markets.... | M. Gooderson. 1,000 00 |
| Clerk of Catharine market.. | S. S. Conklin, \$2 |
| per day..... | 626 00 |
| Clerk of Centre market..... | F. Watkins. 730 00 |
| " Clinton " | S. Long. 730 00 |
| " Essex " | A. Thomas. 730 00 |
| " Franklin " | E. Burke, \$1 50 per day 469 50 |
| " Fulton " | G. W. Isaacs. 800 00 |
| " Gouverneur " | J. J. Bevans, \$1 50 pr. d. 469 50 |
| " Jefferson " | P. Vandervoort. 730 00 |
| " Tompkins " | J. W. Hartell. 730 00 |
| " Union " | E. Allen. 730 00 |
| " Washington " | B. A. Guire. 1,000 00 |
| Deputy Clerk " " | J. Reed. 750 00 |
| | <u>\$16,345 00</u> |

Salaries Increased.

Clerk to Commissioner of Streets and Lamps, J. Coles,
from \$600 to \$800, December 31, 1853.

Clerk of Centre Market, from \$578 to \$730
 " Clinton " " 600 to 730
 " Essex " " 500 to 730
 " Franklin " " \$1 to 150 pr day, \$469 50
 " Jefferson " " 515 to 730

| | |
|---|--|
| Clerk of Tompkins Market, from \$500 to \$730 | |
| “ Union “ “ 313 to 730 | |
| “ Washington “ “ 500 to 1000 | |
| Dep. Clerk “ “ “ 500 to 750 | |

The resolutions increasing the salaries of the Clerks of the Markets were returned by the Mayor, without his approval or objections, January 5, 1854, which, under the provisions of the amended charter, the same became adopted.

CITY INSPECTOR'S DEPARTMENT.

| | |
|--|--------------------|
| City Inspector, Thomas K. Downing..... | \$2,500 00 |
| Register of Records, James S. Hyatt..... | 1,200 00 |
| Superintendent of Sanitary Inspection, Richard C. Downing..... | 1,200 00 |
| First Clerk, George W. Morton..... | 1,000 00 |
| Twenty-two Health Wardens, \$600 each..... | 13,200 00 |
| | <u>\$19,100 00</u> |

Salaries Increased.

| | |
|---|-------|
| City Inspector, salary increased....from \$1,500 to \$2,500 | |
| Register of Records “ fixed at | 1,200 |
| Superintendent of Sanitary Inspection “ | 1,000 |
| First Clerk, increased.....from 650 to 850 | |
| By ordinance, reorganizing the City Inspector's Department, April 15, 1853. | |
| Superintendent of Sanitary inspection, increased.....from 1,000 to 1,200 | |
| First Clerk, increased.....from 800 to 1,000 | |

Health Wardens' salary increased to \$2 per day, by resolution, December 31, 1853.

LAW DEPARTMENT.

| | |
|--|-------------|
| Corporation Counsel, R. J. Dillon..... | \$3,500 00 |
| Clerks to " | 2,500 00 |
| Corporation Attorney..... | 5,000 00 |
| First Clerk | 750 00 |
| Second Clerk..... | 500 00 |
| Public Administrator | 1,250 00 |
| | <hr/> |
| | \$13,500 00 |
| | <hr/> |

COUNTY OFFICERS.

| | |
|---|--------------|
| Recorder | \$3,000 00 |
| City Judge..... | 3,500 00 |
| Three Judges of Common Pleas | 12,000 00 |
| Six Judges of Superior Court..... | 24,000 00 |
| Clerks " " | 9,600 00 |
| Criers to Courts..... | 9,100 00 |
| Three Justices of Marine Court..... | 9,000 00 |
| Clerk " " | 2,000 00 |
| Six Justices Ward Court | 12,000 00 |
| Six Clerks " " | 7,500 00 |
| Clerk of Court of Sessions..... | 2,500 00 |
| Deputy Clerk of Court of Sessions | 1,500 00 |
| District Attorney..... | 5,000 00 |
| Asst. " " | 2,500 00 |
| Clerk to District Attorney..... | 800 00 |
| | <hr/> |
| | \$104,000 00 |
| | <hr/> |

Salaries Increased.

By resolution of the Board of Supervisors, May 2, 1853, the compensation of the Justices of the Marine Court was increased from \$2,000 to \$3,000, in lieu of all fees and perquisites, to take effect from the second Tuesday in May; and at the same time the salary of the Clerk of Marine Court was increased from \$1,500 to \$2,000.

By resolution of the Board of Supervisors, July 20, 1853, three additional clerks to attend on the Superior Court were directed to be appointed, and to be called

| | |
|---------------------------------|------------|
| General Term Clerk, salary..... | \$1,200 00 |
| Special " " " | 1,000 00 |
| Copying " " " | 600 00 |

Salary to date from July 20th, by resolution, September 5, 1853, and the salary of the Copying Clerk, was increased by resolution of the Board of Supervisors, October 31, 1853, from \$600 to \$800, to take effect, January 1st, 1854.

The salaries of the attendants on the Superior Court (thirteen in number) were increased from \$500 to \$700, by resolution of the Board of Supervisors July 20, 1853.

By resolution of the Board of Supervisors, August 3, 1853. The salaries of the officers appointed by the Justices of the Superior Court, Court of Common Pleas, and Marine Court, (thirty-one in number) were increased from \$500 to \$700. Superior Court, thirteen; Common Pleas, nine; Marine Court, nine.

Clerk of General Sessions, salary increased from \$2,000 to \$2,500, and Deputy Clerk from \$1,250 to \$1,500, by resolution of Board of Supervisors, October 3, 1853, to commence January 1, 1854.

Crier of the Court of Common Pleas, Stephen W. Dusenbury, increased to \$800, by resolution of Board of Supervisors, November 28, 1853.

STREET DEPARTMENT.

| | | |
|----------------------------|-------------------|--------------------|
| Street Commissioner, | Jas. Furey..... | \$2,500 00 |
| Deputy " " | Charles Turner.. | 1,500 00 |
| Redemption Clerk, | P. H. Kingsland. | 1,000 00 |
| Contract " " | G. T. Rogers.... | 1,000 00 |
| Map " " | O. Rhines..... | 1,000 00 |
| Copying " " | Thos. J. Snyder.. | 1,000 00 |
| Messenger, | E. Evans..... | 500 00 |
| Inspector of side-walks, | R. W. Donnelly, | |
| | \$2 per day,.... | 626 00 |
| Superintendent of Wharves, | R. Earle, \$2 " " | 626 00 |
| " Lands and Places, | J. Murphy..... | 1,000 00 |
| Scrivener..... | | 650 00 |
| | | <u>\$71,402 00</u> |

Salaries Increased.

Contract Clerk, G. T. Rogers, salary increased from \$750 to \$1,000, December 16, 1853.

Map Clerk, O. Rhines, salary increased from \$600 to \$1,000, December 30, 1853.

Copying Clerk, salary increased from \$650 to \$1,000, December 30, 1853.

Superintendent of Lands and Places, increased from \$2 per day to \$1,000 per annum, August 9, 1853.

DEPARTMENT OF REPAIRS AND SUPPLIES.

| | | |
|--------------------------------------|---------------------|--------------------|
| Commissioner of Rep. and Sup., | B. B. Purdy.. | \$2,000 00 |
| Clerk | " " " H. Halstead.. | 1,000 00 |
| Superintendent of Roads, | Thos. Starr... | 1,250 00 |
| " of Public Buildings, | Elijah Purdy. | 1,500 00 |
| " " " for horse and wagon. | | 250 00 |
| Clerk " " " J. J. Tindale. | | 750 00 |
| " of Pavements, | Sam'l Radcliffe | 1,500 00 |
| " " for horse and wagon | | 250 00 |
| Clerk to " " W. B. Burrows | | 750 00 |
| Chief Engineer, Fire Department..... | | 2,000 00 |
| Twelve Fire Wardens \$500 each..... | | 6,000 00 |
| Clerk to " " " | | 500 00 |
| | | <u>\$17,750 00</u> |

Salaries Increased.

Clerk to Commissioner of Repairs and Supplies, H. Halstead. Salary increased from \$750 to \$1,000, December 31, 1853.

The salary of the Fire Wardens increased from \$250 to \$500, by act of the Legislature July 18, 1853, and salary to be fixed by the Common Council, at a sum not exceeding \$500 each.

CROTON AQUEDUCT DEPARTMENT.

| | | |
|--------------------|--------------------|------------|
| President, | Elias L. Smith.... | \$2,000 00 |
| Engineer | A. W. Craven.... | 2,000 00 |
| Assistant Engineer | Robert Gorsuch... | 1,500 00 |

| | | |
|---|--------------------|--------------------|
| Brought forward..... | | \$5,500 00 |
| Commissioner, | | 2,000 00 |
| Water Purveyor, | J. P. Flender..... | 1,500 00 |
| Register, | R. C. Hance..... | 1,500 00 |
| Assistant " | Wm. Fardon..... | 1,000 00 |
| Clerks to Register, at \$800 each..... | | 1,600 00 |
| " President, | H. S. Robertson... | 1,000 00 |
| Sewer Contract Clerk, | A. F. Dodge..... | 1,000 00 |
| General Clerks, (four) at \$600 each..... | | 2,400 00 |
| Messenger, | J. L. Conklin..... | 500 00 |
| " Engineer's office, | J. D. Vanbuck ... | 216 00 |
| Foreman of Proving Yard, | James Gulick.... | 626 00 |
| Keeper of Dis. Reservoir, | B. G. Roe..... | 730 00 |
| Keeper of Receiving " | J. Geary..... | 730 00 |
| Sup't Croton Dam..... | D. Adamson..... | 600 00 |
| " at Sing Sing..... | James Scott..... | 548 00 |
| " Tarry Town... | Barney See..... | 470 00 |
| " Dobbs Ferry.. | James Bremner.... | 470 00 |
| " Yonkers..... | James Berwick.... | 470 00 |
| " Fordham..... | John L. Berrian.. | 470 00 |
| " High Bridge.. | Jacob Moore..... | 470 00 |
| | | <u>\$23,800 00</u> |

Salaries Increased.

Clerks to the Register, salary increased from \$600 to \$800, December 30, 1853.

BOARD OF HEALTH.

| | |
|-------------------------|----------------|
| Resident Physician..... | \$3,000 |
| Health Physician..... | 1,250 |
| | <u>\$4,250</u> |

TAX COMMISSIONERS.

| | |
|--|-----------------|
| Tax Commissioners, three at \$2,500..... | \$7,500 |
| First Clerk..... | 1,000 |
| Second " | 1,000 |
| Third " extra for three months..... | 200 |
| Clerk and Messenger..... | 626 |
| | <hr/> |
| | <u>\$10,326</u> |

Salaries Increased.

The salaries of the three Tax Commissioners, increased from \$2,000 to \$2,500, by resolution of the Board of Supervisors, August 3, 1853 ; to take effect from the 1st day of January, 1853.

The salaries of the *First* and *Second* Clerks, increased from \$750 to \$1,000, by resolution of the Board of Supervisors, November 21, 1853 ; to take effect from the date of the resolution.

By resolution of Common Council, September 15, 1853, the salary of the Detailed Policemen, about one hundred and sixty in number, was increased, to take effect January 1, 1853, from \$500 to \$600.

By resolution of Common Council, Nov. 16, 1853, the salary of the

| | |
|---|--|
| 22 Captains of Police increased from \$800 to \$1,000 | |
| 44 Lieutenants " " " 700 " 800 | |
| 1034 Sergeants & Policemen " " 600 " 700 | |

Increase of salary of Police, about \$138,000.

Commissioner of Jurors' salary fixed \$2,500 by resolution of Board of Supervisors, December 30, 1853, formerly paid by the fees received.

By resolution of December 29, 1853, the salary of 52 Doormen, at the various Station houses, was increased from \$500 to \$600.

RECAPITULATION.

SALARIES INCREASED.

| | |
|--|---------------------|
| Third Assistant Clerk of Common Council..... | from \$600 to \$700 |
| By resolution, August 10, 1853. | |
| Messenger to Board of Aldermen.... | from 600 to 750 |
| By resolution, February 16, 1853. | |
| Deputy Clerk Board of Assistants..... | fixed 600 |
| By resolution, March 18, 1853. | |
| Sergeant-at-arms Board of Assistants.. | from 600 to 700 |
| By resolution, December 31, 1853. | |
| Mayor's Messenger..... | from 750 to 1,000 |
| By resolution, September 16, 1853. | |
| *Tax Receiver..... | from 2,000 to 3,000 |
| *Deputy " of Taxes..... | " 1,500 to 2,500 |
| *First Clerk..... | " 1,200 to 2,000 |
| *Second " | " 700 to 1,200 |
| *Third " | " 700 to 1,200 |
| *Fourth " | " 700 to 1,200 |
| *Messenger..... | " 600 to 700 |

*By resolution of the Board of Supervisors, December 14, 1853, and to take effect January 1, 1854.

Clerk to Commissioner of Streets and

Lamps.....from \$600 to \$800 *

By resolution, December 31, 1853.

Clerk of Centre market..... 578 to 730

" Clinton " 600 to 730

" Essex " 500 to 730

" Franklin "from \$1 to \$1 50 per day.

" Jefferson "from 515 to 730

" Tompkins " 500 to 730

" Union " 313 to 730

" Washingt'n " 500 to 1,000

Deputy Clerk " " 500 to 750

By resolution, returned by Mayor, January 5, 1854.

Superintendent Sanitary Inspection, from \$1,000 to 1,200

First Clerk City Inspector's Depart., " 800 to 1,000

By resolution, December 30, 1853, to
take effect from and after the 1st
day of December next.

Three Justices of Marine Court.....from 2,000 to 3,000

In lieu of all fees and perquisites;
by resolution of Board of Supervi-
sors, May 2, 1853.

Clerk Marine Court.....from 1,500 to 2,000

By resolution of Board of Supervisors
May 1, 1853.

| | | |
|-----------------------------------|----------|-------|
| Three additional Clerks to attend | { 1 at.. | 1,200 |
| Superior Court, to be appointed | { 1 at.. | 1,000 |
| | { 1 at.. | 600 |

By resolution of Board of Supervisors,
July 20, 1853.

| | |
|--|----------------|
| Copying Clerk of Superior Court ...from | \$600 to \$800 |
| By resolution of Board of Supervisors, October 31, 1853. | |
| Attendants on Superior Court, 13 in number.....from | 500 to 700 |
| By resolution of Board of Supervisors, July 20, 1853. | |
| Officers appointed by Justices of Superior Court, Court of Common Pleas, and Marine Court, 31 in number.....from | 500 to 700 |
| Clerk of General Sessions.....from | 2,000 to 2,500 |
| Deputy Clerk of General Sessions.... " | 1,250 to 1,500 |
| By resolution of Board of Supervisors, October 3, 1853. | |
| Crier of Court of Common Pleas....from | — to 800 |
| By resolution of Board of Supervisors, November 28, 1853. | |
| Contract Clerk, Street Department..from | 750 to 1,000 |
| By resolution, December 16, 1853. | |
| Map Clerk, Street Department.....from | 600 to 1,000 |
| Copying " "from | 650 to 1,000 |
| By resolution, December 30, 1853. | |
| Superintendent of Lands and Places, from \$2 per day to 1,000 | |
| By resolution, August 9, 1853. | |
| Clerk to Commissioner of Repairs and Sup- plies.....from | 750 to 1,000 |
| By resolution, December 31, 1853. | |

Fire Wardens, 12 in number.....from \$250 to \$500
By act of Legislature, July 18, 1853.

Two Clerks to Register Croton Aqueduct
Department..... from 600 to 800
By resolution, December 30, 1853.

Three Tax Commissioners :.....from 2,000 to 2,500
By resolution of Board of Supervisors,
August 3, 1853, to take effect Janu-
ary 1, 1853.

First and Second Clerks, Tax Commis-
sioner's Office.....from 750 to 1,000
By resolution of Board of Supervisors,
November 21, 1853.

| | |
|---------------------------------------|------------------|
| Amount of increase about..... | \$28,654 |
| “ “ 52 Doormen..... | 5,200 |
| Salary of Commissioner of Jurors..... | 2,500 |
| Amount of increase of Police..... | 138,000 |
| | <u>\$174,354</u> |

For Extra Services.

Isaac G. Seixas, as Clerk to Committee of Re-
pairs and Supplies, for..... \$150 00
By resolution approved by the Mayor,
January 3, 1854.

P. H. Kingsland, as Clerk to Committees.... 250 00
By resolution, December 31, 1853.

John A. Towle, for extra services to Board of
Assistant Aldermen, during the year 1853.. 250 00
By resolution, December 31, 1853.

| | |
|----------------------|-----------------|
| Carried forward..... | <u>\$650 00</u> |
|----------------------|-----------------|

| | |
|---|-------------------|
| Brought forward..... | \$650 00 |
| ' Gilbert S. Nixon, in addition to his salary as Reader to the Board of Aldermen | 100 00 |
| By resolution, December 30, 1853. | |
| E. Evans, for serving papers for Finance Com- mittee..... | 100 00 |
| By resolution, approved by the Mayor, January 3, 1854. | |
| Police Justices, for extra services in addition to their present salary, at the rate of <i>one- sixth</i> of the compensation now received, to take effect on and from the 8th day of May, 1852. | |
| By resolution of the Board of Supervisors, December 27, 1853—six Justices, each \$544 87..... | 3,269 22 |
| John H. Chambers, for services as Secretary to Committee on Fire Department..... | 300 00 |
| By resolution of Common Council, De- cember 31, 1853. | |
| Joseph B. Young, for services as Secretary to Committees..... | 150 00 |
| By resolution, December 31, 1853. | |
| Nicholas Seagrist, for services as Sergeant-at- Arms to the Board of Supervisors, 2 years | 200 00 |
| By resolution of Board of Supervisors, December 30, 1853. | |
| Total | <u>\$7,469 22</u> |

SALARIES INCREASED DURING THE YEAR 1852.

| | | |
|--|-----------------|-------|
| Sergeant-at-arms, Board of Aldermen, increased.....from | \$400 to | \$600 |
| By resolution, April 2, 1852, fixed at \$600, to take effect from January 1st, 1852. | | |
| Deputy Clerk, Board of Aldermen, in- creased.....from | 1,000 to | 1,500 |
| First Clerk, Board of Aldermen, in- creased.....from | 750 to | 1,000 |
| Second Clerk, Board of Aldermen, in- creased.....from | 750 to | 1,000 |
| The salaries of the Deputy, First and Second Clerks, Board of Aldermen, increased by resolution, December 23, 1852. | | |
| Doormen of Second Patrol District, in- creased.....to | \$1 50 per day. | |
| By resolution, July 15, 1852; to be calculated from January 1, 1852. | | |
| Chief of Police, increased.....from | 1,600 to | 2,500 |
| By resolution, Dec. 23, 1852; to take effect from January, 1, 1852. | | |
| Superintendent of Markets, allowed for use of horse and wagon per annum, in addition to his salary..... | | 250 |
| By resolution of Common Council, April 26, 1852, to take effect Janu- ary 1, 1852. | | |
| Clerk of Chief of Police, increased from | 1,000 to | 1,500 |
| By resolution, December 23, 1852, to take effect January 1, 1852. | | |

DOCUMENT No. 10.

BOARD OF ALDERMEN.

JANUARY 20, 1854.

The following communication from the Commissioner of Streets and Lamps, with a copy of the contract for cleaning Streets, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

OFFICE COMMISSIONER OF STREETS AND LAMPS, }
January 19, 1854. }

To the Honorable Board of Aldermen:

GENTLEMEN :—I hereby transmit to your Honorable Body, agreeable to resolution, a copy of the contracts for cleaning streets, with the names of the securities. The wording of the contracts are the same—the difference only in the names of the parties.

| | |
|--|---------------------------|
| First district, John B. Monell.... | amount \$30,000 |
| “ securities, J. Hume and J. Robinson for \$20,000 | “ |
| Second district, Peter Shaw..... | “ 30,000 |
| “ securities, John Pet- tigrew & M. C. Story 20,000 | “ |
| Third district, Bernard Kelly..... | “ 30,000 |
| “ securities, J. J. Wi- nants & L. P. Dodd 20,000 | “ |
| Fourth district, John Lynch..... | “ 30,000 |
| “ securities, J. Russell and J. L. Pinckney. 20,000 | “ |
| <hr/> | |
| Securities..... | \$80,000 Cont's \$123,000 |
| <hr/> | |

Appended are the specifications, upon which the contracts are based, to which I respectfully direct your attention ; section 10th providing for the non-fulfillment, &c.

HENRY ARCOLARIUS, JR.,
Commissioner of Streets and Lamps.

Specification for Cleaning the Streets of the City of New York.

SECTION I.

The several wards of the city shall be divided into contract districts, as follows :

The first district shall include the First, Second, Third, Fourth and Sixth Wards.

The Second district shall include the Fifth, Eighth, Ninth, Fourteenth and Fifteenth Wards.

The third district shall include the Seventh, Tenth Eleventh, Thirteenth and Seventeenth Wards.

The fourth district shall include the Sixteenth, Eighteenth, Nineteenth, Twentieth, Twenty-first and Twenty-second Wards.

SECTION II.

The contractors shall severally, at their own expense, cause all the gutters, streets, wharves, piers, heads of slips, public lands and places, and the limits of the public markets, within their respective districts, to be thoroughly and properly cleaned and swept, and the dirt, manure, &c., collected in heaps at least twice in each week, when the same, from the state of the weather, shall be practicable.

And they shall also employ a sufficient number of cartmen to remove, and shall remove all ashes, garbage and offal, manure, dirt and rubbish, of every kind, nature or description, from all public lands and places, and from the streets, wharves and piers within their respective districts forthwith, immediately after being collected; and if the weather will not permit the dirt collected to be removed forthwith, then the same to be removed as soon as practicable.

SECTION III.

The said contractors shall, severally, at their own expense, cause all dirt, filth and rubbish, of all and every kind, to be removed from each of the public markets, (and such other public markets as may hereafter be erected,) and the limits thereof, within their respective districts, every Sunday, before the hour of nine o'clock in the morning, and every other day, excepting Saturday, before four o'clock in the afternoon.

The said contractors shall provide a sufficient number of horses and carts, and men to act as cartmen, to collect and remove from the several streets of said city, all ashes, garbage, rubbish, sweepings of every kind and nature, which may be delivered to them, or may be placed in vessels upon the side-walks, or in the area of, or upon the upper area step of any dwelling house, store, or public buildings, within the limits of their respective contract districts, and the said carts and men shall each be assigned to separate districts, to be subject to the approval of this department, and shall be compelled to go entirely through each of the aforesaid districts, between the hours of 7 A. M. and 6 P. M. of each and every day, Sundays excepted.

SECTION IV.

The said contractors whose contracts include the whole or any part of the great thoroughfares, Broadway, Bowery, Third avenue, Chatham street, East Broadway, Grand street from Broadway to East river, Canal street, and such other thoroughfares as may be directed or required by this department, shall, on every Tuesday, Thursday and Saturday of each week, and before six o'clock, A. M., on such days, between the first of May and the first of October, cause the same and the several gutters thereof, together with the cross-walks of the streets intersecting the same, to be thoroughly cleaned and swept, and remove all the dirt, manure, rubbish, &c., forthwith, and before the hours before-named; and from the first of October to the first of May, under such regulations as this department may, from time to time, require.

SECTION V.

The said contractors shall also be required to remove

snow, ice, and other obstructions from the cross-walks, gutters, &c., &c., and, in compliance with the ordinances of the Common Council; and shall also remove all snow and ice, &c., from in front of all public buildings and places, (public schools, engine houses, station houses, court rooms, &c.,) within twenty-four hours after such snow, &c., has ceased falling; and, in case of said snow or ice being congealed, so as not to permit to be removed, then to be sprinkled with sand, until it is practicable to remove.

And the contractors in the respective districts, shall also be required to keep the streets in their districts passable for vehicles during the winter, and clear all gutters intersecting streets.

And the several contractors shall also keep the streets in their respective districts passable for vehicles, during the winter, especially where gutters cross the streets.

SECTION VI.

The said contractors shall provide, at their own expense, a sufficient number of vessels to receive, as fast as collected, all ashes, garbage, filth and rubbish, of every kind and description, and said vessels shall carry away, as fast as received, all ashes, &c.

And no deposit of any manure, dirt or rubbish of any kind or description, will be permitted, without permission first obtained in writing, from this Department.

SECTION VII.

Every cart employed by the several contractors as an ash cart or garbage cart, shall be submitted to the Superin-

tendent of Streets, for his approval, and when approved of by him, shall be assigned to such districts within the limits of the contractor's district, as he may deem requisite.

SECTION VIII.

The drivers of all carts employed as ash carts, shall give notice of their approach, by ringing a hand bell, and shall receive all ashes, garbage, sweepings, rubbish of every nature or description, which shall be delivered to such carts, or be placed upon the side-walks, in vessels in the area, or upon the upper cellar-step of any dwelling house, public building or store.

SECTION IX.

In case any person shall, in violation of any ordinance of the Corporation, cast or place any garbage, offal, filth, dirt, manure, cinders, ashes, shells, rubbish, or any other substance whatever, or obstruction in any of the streets, public lands or places, public markets, or the limits thereof, wharves, piers, and heads of slips, unless such obstruction shall be so placed for the purpose of any public work, it shall be the duty of the contractors in whose district it may be, to remove the same as above is intended to be provided; and such contractor may recover from the persons so casting or placing the same, or from the persons in whose employ such person may be acting, severally and respectively, double the usual and ordinary expenses of removing the same, with costs of suits in any court having cognizance thereof; such suit to be brought in the name of the Mayor, Aldermen and Commonalty, for the benefit of said contractor, and at his risk, cost and expense.

SECTION X.

If any contractor shall refuse or neglect to perform any duty which he is required to perform by this contract, weather permitting, for the space of twenty-four hours after he shall be notified so to do, in writing, at his residence or usual place of business, by the Superintendent of Streets, it shall be lawful for such Superintendent to cause such duty to be performed, and shall certify the expense thereof, in writing, to this Department, when the amount of such expense, so certified, shall be deducted from the next succeeding payment otherwise due to such contractor, and such contractor shall lose the amount thereof.

SECTION XI.

The Superintendent of Streets shall cause printed notices to be left at every house and store, requiring all ashes, garbage, cinders, and every other offal article or thing prohibited by the ordinances of the Corporation from being cast or placed into the streets, to be kept and delivered to the carts.

SECTION XII.

The dumping places or berths for vessels to receive and convey from the city, the manure, coal ashes, and rubbish from their respective districts, shall be as follows, viz :

First district—Albany basin, North river, and foot of Roosevelt street, East river.

Second district—Foot of Watts street and foot of Gansevoort street, North river.

Third district—Jefferson street and Stanton street, East river.

Fourth district—Foot of Sixteenth street, East river.

SECTION XIII.

In case any contractor shall neglect or refuse to comply with the requirements of this specification, in any particular, after being duly notified by the Superintendent of Streets, to comply with the same, he shall forfeit his contract, and all moneys due thereupon at the time of such neglect or refusal, and all benefits or advantages to be had or derived therefrom ; and it shall be lawful for the Commissioner of Streets and Lamps to thereupon annul such contract, and to contract the same out to any other person or persons, and in addition thereto, the said contractor so refusing to comply with the requirements of this specification, shall be liable to pay to the Corporation of the city of New York, such damages as they may have sustained by reason of any such neglect or refusal.

HENRY ARCULARIUS, JR.,
Com. of Streets and Lamps.

DOCUMENT No. 11.

BOARD OF ALDERMEN,

JANUARY 20, 1854.

The following communication from the Clerk of the Board of Aldermen, in relation to the Wall street Ferry, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

Resolved, That the Clerk of this Board report to this Board at the next meeting thereof, all the papers and documents in his possession relating to the Wall street Ferry.

OFFICE OF THE CLERK TO THE COMMON COUNCIL, }
New York, January 20, 1854. }

To the Honorable the Board of Aldermen :

GENTLEMEN:—In compliance with the annexed resolution, directing me to report the papers relating to the Wall street Ferry, I submit the following, being all the proceedings had by the Common Council upon the subject, the original of which are placed on file in this office.

Resolved, That a lease of the slip at the foot of Wall street, in the city of New York, or so much thereof as belongs to the Corporation, together with the northerly side of pier No. 15; and also a ferry lease with the privilege to establish and run a ferry from the foot of Jerolamen street, or some convenient point adjacent thereto, in the city of Brooklyn, be granted to Jacob Sharp, for the term of ten years, at an annual rent of twenty thousand dollars, with power to regulate the same, from time to time, by the Common Council; said rent to be paid quarterly, on the usual quarter days, and commence fifteen months after the execution of the lease. The said lease to contain the usual covenants contained in ferry leases; and unless said ferry shall be put in operation within fifteen months from its execution, the said lease shall be canceled; and further, that said lessee shall only be required to pay the rent for said slip at the rate now received therefor by the Corporation, until the said fifteen months expire.

Adopted by the Board of Assistants, May 10, 1852.

Adopted by the Board of Aldermen, May 11, 1852.

Received from his Honor the Mayor, May 24, 1852, with his objections thereto.

Board of Assistants, June 11, 1852; taken up, reconsidered, and adopted; notwithstanding the objections of his Honor the Mayor thereto, a majority of all the members elected voting in favor thereof.

Board of Aldermen, June 16, 1852; taken up, reconsidered, and adopted, notwithstanding the objections of his Honor the Mayor thereto, a majority of all the members elected voting in favor thereof; therefore, under the provisions of the amended charter, the same became adopted.

Whereas, A lease has been granted to Jacob Sharp^b of the slip at the foot of Wall street ; and,

Whereas, A survey and map of such slip has been made by Isaac T. Ludlum, City Surveyor, September, 1852, under the direction of the Street Commissioner, showing the right of said Corporation and of said Sharp, under said lease ; and

Whereas, Said lessee has been obstructed in obtaining possession of the property leased to him in said slip,

Resolved, That the Counsel to the Corporation take the necessary measures to put and keep said lessee in the possession and enjoyment of said slip, as laid down on said map.

Adopted by the Board of Aldermen, October 4, 1852.

Adopted by the Board of Assistants, October 6, 1852.

Approved by the Mayor, October 14, 1852.

Resolved, That the Wall street Ferry Company be, and they are hereby permitted to change one of their landings or bridges on the Brooklyn side, from Montague street to Fulton street, on the west side of the present landing of the Fulton ferry, or adjacent or near thereto ; provided that the passage of this resolution does not interfere with any of the privileges heretofore executed to the Union Ferry Company.

Adopted by the Board of Assistants, October 12, 1853.

Adopted by the Board of Aldermen, October 14, 1853.

Approved by the Mayor, October 15, 1853.

Resolved, That the Wall street Ferry Company have

permission to drive spring piles half way across the outer end of the two piers at the foot of Wall street, for the protection of their boats on entering the slip.

Adopted by the Board of Assistants, May 11, 1853.

Adopted by the Board of Aldermen, October 31, 1853.

Approved by the Mayor, November 1, 1853.

Resolved, That the rent of the Wall street ferry be, and the same is hereby reduced to five thousand dollars a year, and that an instrument to that effect be executed by the proper officers.

Adopted by the Board of Assistants, October 5, 1853.

Adopted by the Board of Aldermen, October 21, 1853.

Received from his Honor the Mayor, November 15, 1853, without his approval or objections thereto, therefore, under the provisions of the amended charter the same became adopted.

Resolved, That the consent of the Mayor, Aldermen and Commonalty of the city of New York be, and the same is hereby given to Jacob Sharp, Freeman Campbell and Rutherford Moody, to assign and transfer to the Union Ferry Company, the lease for the ferry from the foot of Wall street to the foot of Jerolamen street, or some point adjacent thereto, in the city of Brooklyn.

Adopted by the Board of Assistants, December 30, 1853.

Adopted by the Board of Aldermen, December 31, 1853.

Approved by the Mayor, December 31, 1853.

All of which is respectfully submitted,

D. T. VALENTINE, *Clerk.*

DOCUMENT No. 12.

BOARD OF ALDERMEN.

JANUARY 20, 1854.

The following communication from his Honor the Mayor, transmitting one from the Chief of Police, in answer to the annexed resolution, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, Clerk.

MAYOR'S OFFICE,
New York, Jan. 16, 1854. }

To the Honorable Board of Aldermen:

GENTLEMEN:—I transmit herewith copies of various orders and instructions in answer to resolutions of inquiry addressed to the Chief of Police, and which he has communicated to me as the head of the Police Department, in order that they may reach your Honorable Body through the proper official character.

JACOB A. WESTERVELT.

Resolved, That the Chief of Police is hereby directed to report to this Board, without delay, the reason, if any, why the laws and ordinances are not enforced in relation to throwing garbage and ashes into the streets, the cleaning the snow from the side-walks, and the closing of the groceries and rum-holes on the Sabbath.

ALDERMAN TUCKER,
Eighth Ward.

GENTLEMEN :—In answer to the annexed resolution, adopted by the Board of Aldermen, the following report is submitted :

REPORT.

That the ordinances in relation to throwing garbage and ashes into the streets have, on various occasions, engaged the attention of the chief officers of the Police Department ; and that every effort has been made to prevent a practice so injurious to the health of the city. To show what has been done, I herewith inclose copies of the several General Orders (six in number) that have been issued to the Department. Under those orders a number of delinquent policemen have been tried and suspended from pay. Yet even these stringent measures were found inadequate to entirely abate the evil, as it was found the public did not support the authorities. Moreover, great hardships resulted from the enforcement of the law, in the following manner :

Garbage and ashes are generally thrown into the street by women, who take care of their own household ; and when a policeman undertook to arrest them, he found that

he had to forcibly drag a mother away from her helpless children, and leave them exposed to the accidents and casualties incident to childhood, and *the feelings of the man* would overcome *the sternness of the officer*, and he would walk away, determined to suffer the consequences rather than to outrage the feelings of humanity. In many instances the policeman would insist on arresting the offender, although stoutly resisted in the performance of his duty ; and in those cases the magistrate would impose a nominal fine, or dismiss the case with a reprimand.

In almost every instance where an arrest was made, the indignant husband, backed by numbers of respectable citizens, would enter a formal complaint against the policeman, so that they were harrassed and perplexed on every side. Resort was had to the Corporation Attorney whenever the name of the offender could be ascertained ; but this also proved ineffectual. One, two, and sometimes a dozen families reside in the same house, and they watch the motions of the policemen, and while they are inspecting other parts of their posts, ashes and garbage would be thrown into the street ; and instances have been known where a special watch has been kept for days in succession without being able to detect the offenders.

Again, frequent complaints have been and still are made to me that garbage and ashes are allowed to remain in front of the dwellings of citizens for six or eight or ten days at a time, without being removed ; and the utensils containing the same are needed by the families, and as a last resort they are compelled, by the neglect of the authorities, to empty them in the street. To fine or arrest citizens under such circumstances would be a gross wrong.

To prevent the evil complained of, other remedies are imperatively necessary. Carts to remove offal, &c., &c., should pass each house at least once a day, and where there are a number of families occupying the same house, tight boxes should be placed in front of the house as a receptacle for the garbage and ashes, the contents of which should be removed every day, and the boxes thoroughly cleansed.

In relation to removing the snow from the side-walks, I would say that, on the occasion of the snow that fell, I gave particular instructions to the Captains of the Districts to have the ordinances enforced in relation to having the snow removed from the side-walks. A few days afterward I was severely injured while engaged in the discharge of my duties, in consequence of which I was confined to my house up to the time of the passage of the resolution. I have been informed, however, that it was impossible for citizens to remove the snow from the side-walks without injuring the pavements, and consequently the ordinance was not violated.

The closing of groceries and rum-holes on the Sabbath day, is properly the duty of the magistrates of the several wards; and, if they are allowed to keep open, the blame attaches to the Aldermen and their Assistants, and not to the Police Department, as appears from the following sections of the laws relating to the subject—Article 8, Revised Statutes, vol. I, page 75, sections 70, 71 and 72.

§ 70. There shall be no hunting, fishing, sporting, playing, horse racing, gaming, frequenting of tippling houses or any unlawful exercises or pastimes, on the first day of

the week, called Sunday; nor shall any person travel on that day, unless in cases of charity or necessity, or in going to or returning from some church or place of worship, within the distance of twenty miles—or for medical aid, or for medicines and returning—or in visiting the sick or returning—or in carrying the mail of the United States—or in going express, by order of some public officer—or in removing his family or household furniture, where such removal was commenced on some other day; nor shall there be any servile laboring or working on that day, excepting works of necessity and charity, unless done by some person who uniformly keeps the last day of the week, called Saturday, as holy time, and does not labor or work on that day, and whose labor shall not disturb other persons in their observance of the first day of the week, as holy time. Every person, being of the age of fourteen years, offending against the provisions of this section, shall forfeit one dollar for each offence.

§ 71. No person shall expose to sale any wares, merchandize, fruit, herbs, goods or chattels, on Sunday, except meats, milk and fish, which may be sold at any time before nine o'clock in the morning; and the articles so exposed for sale shall be forfeited to the use of the poor, and may be seized by virtue of a warrant for that purpose, which any justice of the peace of the county, or mayor, recorder or alderman of the city, is hereby authorized to issue upon a conviction of the offender. When seized, they shall be sold, on one day's notice being given, and the proceeds shall be paid to the overseers of the poor of the town or city.

§ 72. No keeper of an inn or tavern, or of any ale house, or porter house, or grocery, nor any other person authorized to retail strong or spirituous liquors, excepting to lodgers in such inns or taverns, or to persons actually traveling on that day, in the cases allowed by law. Every person offending against this provision, and being thereof duly convicted, shall forfeit the sum of two dollars and fifty cents.

The Alderman and Councilmen of the Ninth Ward requested the assistance of the Police Department in enforcing the law, which has been promptly accorded to them, as it will be cheerfully accorded to the Alderman and Councilmen of any other ward, who will enforce the law.

Respectfully submitted,

GEO. W. MATSELL,
Chief of Police.

NEW YORK, May 19th, 1849.

GENERAL ORDER, No. 183.

TO CAPTS.

SIRS:—I am instructed, by his Honor the Mayor, to direct your attention to the ordinance in relation to throwing offal, and other filthy substances, in the street, passed May 2, 1849, and particularly to the third section thereof, I herewith inclose you a copy of the ordinance.

GEO. W. MATSELL,
Chief of Police.

NEW YORK, June 5th 1849.

GENERAL ORDER, No. 187.

TO CAPTS.

SIRS :—I am instructed by his Honor the Mayor to direct the attention of the Captains of Police to the necessity of a strict and energetic enforcement of the laws and ordinances mentioned in general order, No. 183.

It will be deemed a neglect of duty and a sufficient cause of suspension of sergeants and policemen, should garbage or any other substance be found in the street or other places within their beats, contrary to law.

You will promptly suspend either of the above-mentioned officers, should a neglect of duty, as above specified, come to your knowledge.

By order of

CALEB S. WOODHULL,

Mayor.

NEW YORK, June 26th, 1850.

GENERAL ORDER, No. 251.

TO CAPTS.

SIRS :—Your attention is earnestly directed to the deposits of rubbish and garbage in your districts.

The necessity of a strict enforcement of general order No. 183, in relation to persons throwing offal and other

filthy substances in the street, and also general order No. 187, relative to the neglect of duty of sergeants and policemen, has become fully apparent, and you will therefore cause the same to be again read to the members of your command, and should they fail to enforce the law as required, you will promptly suspend them for neglect of duty.

By order of

CALEB S. WOODHULL,
Mayor.

GEO. W. MATSELL,
Chief of Police.

NEW YORK, January 18th, 1851.

GENERAL ORDER, No. 275.

TO CAPTS.

SIRS:—I am instructed by his Honor the Mayor to direct the attention of Captains of Police to the necessity of a strict and energetic enforcement of the laws and ordinances.

It will be deemed a neglect of duty, and a sufficient cause for the suspension of sergeants and policemen should they omit to report each and every violation of the ordinances that may occur on their respective beats.

You will also direct the attention of the members of your command to general order No. 183, and to the second section of general order No. 187.

You will promptly suspend either of the above-mentioned officers should a neglect of duty, as above specified, come to your knowledge.

GEO. W. MATSELL,
Chief of Police.

NEW YORK, July 21st, 1851.

GENERAL ORDER, No. 293.

TO CAPTS.

SIRS :—The necessity of an energetic enforcement of all laws and ordinances relative to persons throwing garbage and offal in the streets is fully apparent.

A strict compliance with the requirements of general order Nos. 187 and 183, is expected from you.

By order of

A. C. KINGSLAND,
Mayor.

NEW YORK, August, 15th, 1853.

GENERAL ORDER, No. 407.

TO CAPTS.

SIRS :—If garbage, offal, filth, dirt, manure, cinders, ashes, shells, rubbish or any substance that is detrimental

to the public health, be found in any of the public streets, lanes or alleys, contrary to law, and the person or persons who placed said garbage, &c., as above-mentioned shall have not been arrested or reported by the sergeant or policeman, whose duty it is to arrest or report said person or persons, and the said sergeant and policeman have not been suspended, the captain of the police shall be deemed guilty of neglect of duty.

By order of

JACOB A. WESTERVELT,
Mayor.

GEO. W. MATSELL,
Chief of Police.

DOCUMENT No. 13.

BOARD OF ALDERMEN.

FEBRUARY 6, 1854.

The following petition of Peter Cooper, in relation to the prevention and extinguishing of fire, and to give greater efficiency to the Police Department, was received, laid on the table and ordered to be printed.

D. T. VALENTINE, *Clerk.*

*To the Hon. the Mayor and Common Council
of the city of New York:*

The subscriber takes this method to present to your Honorable Body, certain improvements for the prevention and extinguishing of fires—to give greater efficiency to the police, and greatly lessen the labors of the Fire Department, and at the same time give greater security to life and property, and the government of our city.

Your subscriber is of opinion that these improvements will, if adopted, result in great benefit to the city, state and nation.

A good government in this city, like the heart of a great body, will make itself felt throughout our state, our nation, and to some extent throughout the world. Desiring greatly to secure for my native city the inestimable blessings of good government, I have ventured to propose, and urgently recommend to the serious consideration of your Honorable Body, a plan founded on a principle that I believe will do more to bring about security, order and good government than any and all other measures that are within the range of our municipal powers to adopt. The plan and principle to which I allude will make it directly the dollar and cent interest of some three-quarters of all the officers in the employ of the city government to faithfully perform their duty.

If this can be shown to be conveniently practicable, it must be admitted that it would bring about greater efficiency in the execution of all useful laws and ordinances than any other means which have ever been applied to the government of our city.

Before I attempt a description of this plan, I will state, that it will require greater conveniencies for the extinguishment of fires, than those now provided by our present arrangement.

The necessary facilities for conveniently putting out fires, can be arranged in a short time, and at comparatively small expense, by placing a boiler-iron tank, of some thirty feet in height, on the top of the present reservoir, on Murray Hill. This tank to be filled and kept full of water by a small steam engine, provided for that purpose.

And, as an additional security, I would propose that the present City Hall be raised an additional story, and covered with an iron tank that would hold some ten feet of water. The outside of this tank to be made to represent a cornice around the building.

If an additional building should be put up, to take the place of the one lately destroyed by fire, it should be so formed as to be in harmony with the present City Hall, and covered with a similar tank, and corniced to correspond. With this greater head and supply of water always at command, and ready for connection with the present street mains, the moment a signal is given from any police station; it will be apparent that all the hydrants will be made efficient to raise water over the tops of the highest houses in the city.

I would, in addition, propose that there should be placed at convenient distances, in every street, a small cart, containing some three hundred feet of hose. These carts should be so light, that one man could draw them to the nearest hydrant to the fire, and bring the water on the fire in the shortest possible time. With this arrangement I propose to make it the interest of every man in the police to watch against incendiaries and thieves, and to use every possible effort to extinguish fires as soon as they occur. To make it the interest for the police to perform their duty faithfully, I propose that the Corporation should set apart as a fund, two shillings per day, in addition to the wages of each man, to be held by the Corporation to the end of each year; and when it shall be ascertained that the loss and damage by fire, and the loss of property stolen shall have been reduced below the average of the last ten years,

then this fund of two shillings per day, in addition to their former wages, shall be equally divided between the men forming the Police Department.

In addition to this I propose that the Corporation should request all the insurance companies, interested in the property of this city, to bid or offer the largest per centage that they are willing to give on all that the loss and damage by fire can be reduced below the average agreed upon.

This sum to be added to the Corporation fund of two shillings per day, and to be equally divided with the men forming the city police.

This would enable every one of the members of the police to secure for himself an amount sufficient to pay his rent every year, over and above his present wages. They would also have the elevating satisfaction of knowing, that while they are saving one dollar for themselves, they are saving fifty dollars for the community, and in addition, saving thousands of individuals from that wretchedness and misery annually produced by the desolating ravages of fire.

A police appointed, for and during good behavior, with the liberal salary they now receive, and with the additional privilege of securing to themselves, annually, so large an amount over and above their regular salary, might always be relied on to forward every measure that would tend to secure order and good government. A department so formed, whose duty it would be to traverse every street of the city by day and night, would find it their interest as well as duty to watch against incendiaries, and when a fire was discovered they would instantly signal for as many

hose carts as desirable, with directions for every next man to double his walk. When such men come to a fire they would all be armed with police powers to protect property, and to bring and use the carts with hose, on the fire, until the general alarm became necessary to summon the firemen to the charge, which would seldom happen with such facilities, and such an interest to extinguish fires. One of the best features in this arrangement will be the constant tendency and interest there will be to draw into the department good men, and crowd out bad men. They will find it their interest to have every man turned out who is either drunken, idle, or dishonest, and to have in their place those that are sober, honest and efficient. They will find it their interest to close every rum shop that is selling without license, and they will not be long in finding out that a large part of the fires arise from drunkenness, and the degradation and carelessness that are the natural results of dissipation.

It must be apparent to every reflecting mind, that the great extent of our city already imposes a burden on the present firemen, so great, that we have no right to expect that it will be borne a great while longer by a voluntary Fire Department.

It is evident that something should be done at once to furnish the Fire Department the relief that they have a right to expect from the excessive labor that is unavoidable in drawing their engines to and from, and the hazard and fatigue of working them at the numerous fires that take place.

In the opinion of your subscriber, the plan of placing light carts with hose, at convenient distances in every street,

to be at the service of a body of police, all interested to use this hose for the extinguishment of fires with the greatest possible energy and effect, is the best that can be adopted. By this arrangement it is safe to calculate, that the present Fire Department will be relieved from something like three-quarters of the duties they are now called upon to perform. As an equivalent for this relief, I propose that the Fire Department shall become the guard of honor for our city, to be called out as firemen or soldiers whenever their services are required by the proper authorities of our city.

This arrangement proposes to continue the present Fire Department with every privilege they now enjoy, and relieve them from more than half the labors they are now required to perform.

It is believed by your subscriber, that the plan proposed will make the Fire Department, and also the Police Department, the most useful and honorable bodies of men in our city. The hearty co-operation of the members of the Fire Department, and also the members of the police, to secure for our city the blessings which must naturally result from this arrangement, will entitle them, not only to the pecuniary advantages that must result to themselves and their families, but to the lasting gratitude and respect of every worthy inhabitant of our city.

It is worthy of remark, that the insurance companies of our city have now in their employ eighty men, at an expense of thirty thousand dollars a year, to watch against fires. I am informed, that they intend greatly to increase this force. In addition, your subscriber, with a great number of merchants and private families have, for years, con-

stantly employed private watchmen to guard our stores and dwellings from robbery and fires. All that these cost and more, would be gladly contributed to a body of police who would, by a faithful performance of duty, secure the necessary relief for our Fire Department, by lessening, annually, the number of fires; and also by reducing the amount of property stolen, below the average agreed upon.

I have taken the liberty to invite the attention of your Honorable Body to an *arrangement and principle*, by which a large majority of all the officers in the employ of the city will become pecuniarily and otherwise interested in a faithful performance of their duty. Such performance will not only secure to them the large fund provided by the Corporation, and in addition, the fund to be recovered from the insurance companies, as a reward for reducing the loss by fire, below the average agreed upon; but they would, in addition, find the faithful performance of duty the surest relief from excessive labor, by diminishing the number of fires, and the amount of crime that now form so great and so unpleasant a part of their present labor.

The principal idea in the foregoing communication, was presented by your subscriber to a previous Common Council, some twelve years since, under a full sense of the great advantages that would result by the saving of millions of property, annually, from destruction, and what is of more value, it would save the health and morals of thousands of the best and most enthusiastic young men of our city from being broken down and destroyed by their loss of time, and the excessive labor occasioned by the numerous fires

that take place, and which would mainly be prevented by adopting the arrangement proposed.

All of which is most respectfully submitted,

Yours with great respect,

PETER COOPER.

DOCUMENT No. 14.

BOARD OF ALDERMEN,

FEBRUARY 6, 1854.

The following preamble and resolution, relative to memorializing the Legislature for the passage of an act authorizing a City Convention to revise and amend the charter, &c., of the city of New York, was received, directed to be entered on the minutes, and printed.

D. T. VALENTINE, *Clerk.*

Whereas, The powers and duties of the various officers of the city and county of New York, and the different branches into which our municipal government has been divided, have become so complicated and confused, under the various charters and laws of the state, as to seriously interfere with the prompt and efficient management of the local affairs of our city; and

Whereas, The charter of the city of New York has been so frequently changed and amended—leaving parts and fragments of previous charters unrepealed—as to make it almost impossible to define what are the provisions and requirements of the present charter; and

Whereas, The legislature of the state has, at almost every session, passed special laws for the government and

direction of the Corporation, and people of the city and county of New York, which laws have still further materially altered and modified the charter of said city ; and

Whereas, Still further changes and modifications are required to render our city government what the wants of its people, position and character require, and to enable its local officers and citizens generally, to clearly understand their several powers, duties and responsibilities ; be it, therefore,

Resolved, That the Common Council of the city of New York do hereby memorialize the Honorable Senate and Assembly of the State, for the passage of an act, authorizing the election of a City Convention, to consist of not less than three delegates from each of the several wards of the said city, the duty of which convention shall be the revision and amendment of the charter of the city of New York, in such manner as the present wants of the city require ; and further, to collect all the laws now in force, in reference to our city, into one comprehensive instrument ; and that the Common Council of the city of New York do hereby memorialize the Honorable Legislature of this state to order such election of a "City Convention" at an early day, so that its sessions may commence as early as the first of June next ; and further, they would ask, that the result of the labors of such convention be submitted to the people for approval or rejection at the general election, to be held in November next, with power to allow it to go into immediate effect, after the result of said election shall be known ; provided that such amended and revised charter shall in no way conflict with the constitution of the state, or its general laws.

DOCUMENT No. 15.

BOARD OF ALDERMEN,

FEBRUARY 6, 1854.

The following report of the Special Committee appointed to revise the Rules and Orders of the Board, was presented, laid on the table and ordered to be printed.

D. T. VALENTINE, *Clerk.*

RULES AND ORDERS

OF THE

BOARD OF ALDERMEN
OF THE CITY OF NEW YORK.

1854.

I. Upon the appearance of a quorum, the President having taken the chair, the members shall be called to order; and in all cases of the absence of a quorum, the members present may take such measures as shall be necessary to procure the attendance of absent members.

II. In case the President shall not attend, the Clerk, on the appearance of a quorum, shall call the Board to order, when a President *pro tem.* shall be appointed by the Board for that meeting, or until the appearance of the President.

III. Immediately after the President shall have taken the chair, and the members being called to order, the minutes of the preceding meeting shall be read by the Clerk, to the end that any mistake therein may be corrected by the Board.

IV. The order of business, which shall in no case be departed from, except by the consent of two-thirds of all the members elected to the Board, shall be as follows :

1. Presentation of Petitions.
2. Motions, Resolutions and Notices.
3. Reports of Standing Committees.
4. Reports of Select Committees.
5. Communications and Reports from the Departments, or Corporation officers.
6. Unfinished business.
7. Special orders of the day.
8. General orders of the day.
9. Messages or papers from the Mayor or Board of Councilmen may be considered at any time.

V. Motions for reference to different Committees shall be put in the following order :

1. To the Committee on the Whole.
2. To a Standing Committee.
3. To a Select Committee.

VI. The President shall cause the clerk to make a list of the ordinances, resolutions, reports and other proceed-

ings of the Board, which are committed to a Committee of the Whole, and not made a special order of the day for any particular day, and shall number the same according to their priority, which list shall be the "General Orders of the Day."

VII. If the question in debate contains several propositions, any member may have the same divided; but a motion to strike out and insert shall be indivisible.

VIII. All questions relating to the priority of business, shall be decided without debate.

IX. No resolution or other matter shall be made a special order of the day for a particular day, without the assent of all the members elected.

X. Before the taking of the final question on the passage of any resolution or ordinance, such resolution or ordinance shall be read at large in the Board; and this rule shall, in no case, be suspended or dispensed with.

XI. Petitions, memorials and other papers addressed to the Board, shall be presented by the President or by a member, in his place.

XII. Whenever the President may wish to leave the chair, he shall have power to substitute a member in his place; provided that such substitution shall not continue beyond the day on which it is made, unless by leave of the Board.

XIII. The President, in all cases, has the right of voting; and when the Board shall be equally divided, including his vote, the question shall be lost.

XIV. Whenever it shall be moved and carried, that the Board go into Committee of the Whole, the President shall leave the chair, and shall appoint a Chairman of the Committee of the Whole, who shall report its proceedings to the Board. The rules of the Board, so far as they may be applicable, shall be observed in the Committee of the Whole, except the rules respecting a call for the ayes and noes and limiting the time for speaking.

XV. On motion, in Committee of the Whole, to raise and report, the question shall be decided without debate.

XVI. Whenever any ordinance, resolution, report, or other matter shall have been considered in a Committee of the Whole, no amendments thereto shall be allowed in the Board, except such as were offered and decided in the Committee of the Whole.

XVII. A motion to refer or lay on the table, until it is decided, shall preclude all amendments to the main question.

XVIII. When a question has been once put and decided, it shall be in order for any member who voted in the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote, shall be made after the ordinance, resolution, or act shall have gone out of the possession of the Board; and no motion of reconsideration shall be taken more than once.

XIX. No act, resolution, or ordinance, sent to this Board from the other Board, for concurrence, shall be

acted upon the same day it passed the other Board *unless by unanimous consent*, except in case of invasion, insurrection or pestilence.

XX. It shall be the duty of the Clerk to publish all ordinances and amendments of ordinances which shall be passed; and also the proceedings, in the newspapers employed by the Corporation, except such parts as may require secrecy; and whenever a vote shall be taken upon the passage of a resolution or ordinance, which shall contemplate any specific improvement, or involve the sale, disposition or appropriation of public property, or lay any tax or assessment, he shall, before the same is sent to the other Board, and immediately after the adjournment, cause the same to be published, with the ayes and noes, with the names of the persons voting for and against the same, in at least two newspapers, as a part of the proceedings, and shall thereafter certify and send to the other Board every act, ordinance, and resolution, which has originated in and passed this Board, and which requires a concurrent vote of the Board of Councilmen; and shall deliver to the Mayor, certified in like manner, all such ordinances and resolutions, which shall have been received from the Board of Councilmen, concurred in by this Board, and which are required to be submitted to him for his approval; and shall certify to the other Board the proceedings of this Board, in reference to all acts or business originating with the other Board.

XXI. The President shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Board. And upon every appeal from his decision, he shall have the right, in his place, to assign his reasons for his decision.

XXII. Every member, previous to his speaking, shall rise from his seat, and address himself to the President.

XXIII. When two or more members shall rise at once, the President shall name the member who is first to speak.

XXIV. No person shall speak more than twice on the same question, without leave of the Board ; nor more than once, until every member choosing to speak shall have spoken.

XXV. While a member is speaking, no member shall entertain any private discourse, or pass between him and the chair.

XXVI. No question on a motion shall be debated or put, unless the same be seconded. When a motion is seconded, it shall be stated by the President, before debate ; and every such motion shall be reduced to writing if any member desire it.

XXVII. After a motion is stated by the President, it shall be deemed to be in the possession of the Board ; but it may be withdrawn at any time by the mover before amendment or action thereon.

XXVIII. When a question is under debate, no motion shall be received, unless

1. To amend it ;
2. To commit it ;
3. To lay on the table ;
4. To postpone it ;
5. For the previous question ;
6. To adjourn ; or
7. For a call of the Board.

XXIX. A motion to lay on the table shall be decided without amendment or debate ; and a motion to continue or postpone, until it is decided, shall preclude all amendments and debate of the main question, before the taking of the final question.

XXX. A motion to adjourn shall always be in order, and shall be decided without debate.

XXXI. The previous question shall always be in order in the Board, if seconded by at least —— members ; and until it is decided, shall preclude all amendments and debate, and shall be put in this form : " Shall the main question be now put ? " The " main question " shall be on the passage of the ordinance, resolution or other matter under consideration ; and in cases where there shall be pending amendments which have been adopted in Committee of the Whole, but not acted on in the Board, the question shall first be taken upon such amendments in their order, and without further debate or amendment.

XXXII. Every member who shall be present when a question is put, shall vote for or against the same, unless the Board shall excuse him, unless he be immediately interested in the question, in which case he shall not vote ; but no member shall be permitted to vote upon a question when a division is called, unless present when his name is called in its regular order.

XXXIII. A member called to order shall immediately sit down, unless permitted to explain ; and the Board, if appealed to, shall decide on the case, but without debate. If there be no appeal, the decision of the chair shall be submitted to.

XXXIV. All questions shall be put in the order they are moved, except in filling up blanks—the longest time and the largest sum shall be first put. The ayes and noes shall be taken at the request of a member, and the name of a member calling for the division shall be entered on the minutes.

XXXV. Upon a division of the Board, the names of those who vote for, and those who vote against the question, shall be entered upon the minutes.

XXXVI. All appointments to office shall be by ballot, unless dispensed with by the consent of the Board, and a majority of the whole number present shall be necessary to constitute a choice.

XXXVII. No member shall absent himself without permission of the President, or leave of the Board.

XXXVIII. All Committees shall be appointed by the President, unless otherwise ordered by the Board.

XXXIX. Committees appointed to report on any subject referred to them by the Board, shall report the facts in relation to the subject referred, with their opinion, in writing, and shall attach thereto all resolutions, petitions, remonstrances, and other papers relative to the matter referred; and no report shall be received, except the same be signed by a majority of the Committee; but nothing contained in this rule shall prevent a majority of any Committee from submitting a report; and no report shall be printed unless by the express direction of the Board, specifying the number of copies to be printed.

XL. Whenever the doors are directed to be closed, all persons, excepting the members and officers of the Board, shall retire.

XLI. Every petition, remonstrance, or other written application, intended to be presented to the Common Council, may be delivered to the President, or any member of the Board, and the member to whom it shall be given, shall examine the same, and indorse thereon the name of the applicant, and the substance of such application, and sign his name thereto; which indorsement only shall be read by the President, unless a member shall require the reading of the paper, in which case, unless otherwise ordered by the Board, the whole shall be read.

XLII. Standing Committees, consisting of three members each, shall be appointed on the following subjects:

1. Alms-house Department;
2. Arts and Sciences;
3. Assessments;
4. Cleaning Streets;
5. Ferries;
6. Finance;
7. Fire Department;
8. Joint Committee on Accounts;
9. Committee on Croton Aqueduct;
10. Lamps and Gas;
11. Lands and Places;
12. Law Department;
13. Markets;
14. Ordinances;
15. Police;
16. Public Health;

17. Public Buildings on Blackwell's Island, Randall's Island, and Bellevue Establishment;
18. Repairs and Supplies;
19. Roads;
20. Streets;
21. Salaries and Offices;
22. Sewers;
23. Wharves, Piers and Slips.

XLIII. The President shall be, *ex-officio*, a member of all Committees; but a majority of such Committee, exclusive of the President, shall be sufficient to agree upon a report.

XLIV. The members of the Board shall not leave their places on adjournment, until the President leaves the chair.

XLV. Resolutions giving rise to debates, all concurrent resolutions, and those containing calls for information from the Heads of Departments, shall, on the request of any member, lay over one day for consideration, after which they may be called up, of course, under that order of business.

XLVI. The President may call special meetings of the Board whenever in his judgment the interest of the city requires it.

XLVII. No standing rule or order of this Board shall be suspended, changed, or rescinded without one day's previous notice being given of the motion therefor, nor then, except by a vote of two-thirds of all the members elected to the Board.

DOCUMENT No. 16.

BOARD OF ALDERMEN,

FEBRUARY 9, 1854.

The following communication from the Comptroller, in relation, to revision of ordinances ; also, contracts with Russ & Reid, and with W. B. Reynolds, and claims for unpaid assessments and taxes, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York, Feb. 1, 1854. }

To the Common Council:

The Comptroller respectfully submits the following communication for the consideration of the Common Council. The subjects embraced in it are,

1. A revision of the ordinances prescribing the powers and duties of the several departments. The organization of the Auditing Bureau in the Finance Department has not yet been acted on, and this should have been done in July or August last.

2. Claims of the Corporation for unpaid assessments and taxes.

These claims amount to seven or eight hundred thousand dollars, varying from five to five thousand dollars and collections should be made before the statute of limitation cuts off the claim.

3. The paving contract of Russ & Reid.

The Comptroller has paid up for all work done, as decided by the Court, and the contract is surrendered, subject to the approval of the Common Council.

4. The contract to Wm. B. Reynolds.

The Comptroller submits this case to the Common Council, but without the concurrence of the contractor, as in the other case.

5. Contracts for indexing public records.

Revision of the Ordinances prescribing the Powers and Duties of the several Departments.

The Comptroller respectfully invites the attention of the Common Council to the propriety, if not necessity, of several alterations and amendments of the ordinance of 1849, "Organizing the Departments of the Municipal Government," in order to adapt its provisions to the amendments of the charter.

The 13th section of the amended charter of 1853 is as follows :

"§ 13. There shall be a bureau in the Department of Finance, to be called the 'Auditing Bureau,' and the chief officer thereof shall be the 'Auditor of Accounts.' It shall revise, audit and settle all accounts in which the city is concerned as debtor or creditor; it shall keep an account of each claim for or against the Corpora-

tion, and of the sums allowed upon each, and certify the same, with reasons therefor to the Comptroller. The Comptroller shall report to the Common Council, once in ninety days, the name and decision of the Auditor upon the same, together with the final action of the Comptroller thereon. All moneys drawn from the City Treasury shall be upon vouchers for the expenditure thereof, examined and allowed by the Auditor, and approved by the Comptroller."

On the 30th of June, the Comptroller made a communication to the Board of Aldermen, (see Doc. No. 36.) calling their attention to the 13th section of the charter, and furnished the draft of an ordinance to carry its provisions into effect. The ordinance has not been adopted, nor is the Comptroller aware that there has been any action on it. Although a full compliance with the law was not practicable without the action of the Common Council, the Comptroller has required the several departments, under the last paragraph of the section, to present to the Finance Department, before the warrants on the treasury were drawn, the detailed accounts in each case where payment was demanded. A circular was also issued on the 15th of August last, in relation to the form of keeping and rendering accounts in the several departments of the city government.

Extracts from this circular are appended, marked No. 1.

In order to give full effect to the 13th section of the amended charter, it will be necessary to have copies of all contracts, and the original vouchers or duplicates of them, furnished to the Finance Department, to the end

that the Auditor may "revise, audit and settle all accounts in which the city is concerned as debtor or creditor," "and certify the same, with reasons therefor, to the Comptroller." There is also to be a quarterly report to the Common Council, showing the name of each claimant, the decision of the Auditor on the same, "together with the final action of the Comptroller thereon."

This will bring in review before the Common Council, every ninety days, all the claims for or against the City Treasury, in each and all the departments, with the action both of the Auditor and Comptroller thereon. The closing paragraph of the section cuts up by the roots that most pernicious practice of making advances on the naked requisitions of Heads of Departments, unaccompanied by any accounts of expenditures, of fifty and a hundred thousand dollars at a time, to be accounted for at some future day, as has been practiced under the ordinance of 1849. The operation of this loose system of accounting is more fully explained in the circular before referred to at pages 3 and 4.

The change in the fundamental law, to which reference has been made, will make it necessary to adapt the ordinance of 1849 to this new mode of drawing money from the treasury; it being required to be done, under the new charter, on evidence that service has been rendered to the city, instead of being paid on the unexplained requisition of the Head of a Department. The alterations required apply to the Street Department; that of Repairs and Supplies; Streets and Lamps, &c. The ordinance of 1849 contains many excellent provisions, and some of its requirements, in regard to drawing and accounting for money are

quite rigid. In the case of the Chief of Police, for example, he is permitted to draw on the Comptroller for a sum not exceeding one hundred dollars, to meet special cases of expenditure, provided he procures the Mayor to countersign his requisition ; but he is not permitted to draw the second hundred dollars until he accounts to the Comptroller, by proper vouchers, for the expenditure of the first hundred. Other officers, by the same ordinance, are permitted to have small advances; and to account for them in a similar manner. This minute accountability forms a singular contrast with the ordinance in regard to the three principal contracting and disbursing departments, the Commissioner of each of which can make his requisition for ten thousand dollars for one bureau, twenty thousand dollars for another, and fifty thousand for another, without rendering to the Finance Department any explanation in regard to the services rendered, or the person for whom the money is intended. This has been the practice under the ordinance of 1849, and the wording of it does not discountenance such an interpretation. There is a requirement to report once a month to the Comptroller ; but even then the ordinance does not require the rendition of vouchers to account for the money.

It is also desirable that the ordinance of 1849 should be amended in respect to the duties of the collecting as well as the disbursing agents of the Corporation. The Comptroller, Street Commissioner, Water Register of the Croton Aqueduct Department, Collectors of Assessments, and many other officers, receive large sums of public money. The ordinances, in most cases, require these officers to deposit the money received with the Chamberlain on Thursday of each week, and to account to the Comptroller on

the same day. The Receiver of Taxes, under a law of the state, (chap. 230, § 8, laws of 1843,) is required to make his deposits and account to the Comptroller daily, before 3 o'clock of each day. It may be said that his case is an exception, from the large sums collected. But the Collector of Assessments also receives large sums, amounting to more than a million of dollars annually. Why, then, should he be exempted from making his deposits daily, any more than the Receiver of Taxes? The Croton Aqueduct Department collects over half a million of dollars annually. Should not this department also be placed on the same footing? And in regard to the Comptroller, the Street Commissioner, and every other person who receives public money, why should they not be required to pay it over to the Chamberlain within twenty-four hours of the time of receiving it? Will it give them any more trouble to place the money in the treasury bank than in any other bank?

It is respectfully recommended that the ordinance, organizing the departments, be so amended as to require every officer, who receives money which belongs to the City Treasury, to pay it to the Chamberlain on the day it is received, or before two o'clock of the day after its receipt.

The Comptroller is authorized to issue Revenue and Assessment Bonds, in anticipation of the collection of taxes and assessments. These may amount to two or three millions of dollars in a year. Persons who desire investments of this character, and who necessarily call at the Comptroller's office to ascertain whether their money will be taken and bonds issued for it, find it very convenient

to hand the money to the Comptroller, instead of making the deposit with the Treasurer. The owner of the money should in all cases pay it to the Chamberlain ; and when he has paid it into the legal depository, his claim on the city is as good as if he had the revenue bond in his pocket.

It is respectfully recommended that provision be made, by ordinance, that all persons applying to the Comptroller for Revenue or Assessment Bonds, shall deposit the amount agreed on with the Chamberlain of the city, and present his receipt for the amount to the Comptroller.

By making such a rule, and adhering to it, the individual will have the protection of the unquestioned liability of the city ; the department will be relieved from a responsibility not legitimately pertaining to its duties, and the city will be shielded by the additional responsibility of the bank designated to hold the public money, the same having been received by its cashier.

The advantage of requiring every officer who receives public money to pay it into the city depository daily, is strikingly exemplified in the success which has attended the collection of the canal revenues of the state. In the adoption of the system for collecting tolls in 1826, regulations were established exacting payment of canal tolls in advance, before the delivery of the clearance of the boat and requiring the collector to pay daily, the money thus received, into the depository designated by the Canal Board. It is mainly owing to a rigid adherence to these rules that the remarkable result, stated in the following extract from the report of the Commissioners of the Canal Fund in 1848, has been attained, viz :

"During a period of twenty years, a system of regulations for the collection of revenue has been matured, which for safety and economy, may challenge a comparison with any plan ever devised for the collection of revenue. Under the present system, more than thirty-five millions of dollars have been collected, and placed to the credit of the State Treasurer, without an ascertained loss of a single dollar, by the infidelity of any of the collecting agents."

In regard to the moneys collected by the several city officers, and the sums drawn from the treasury by the disbursing departments, a practice has, heretofore, prevailed of placing these moneys in banks, at a given rate of interest, to be paid to the officer, for the use of the money belonging to the city. If interest can be derived from the revenues of the city, by deposit or loan, these earnings belong to the inhabitants of the whole county, and not to the few agents of the city, to whom is confided the important trust of collecting and disbursing the public money. When rules are established for daily deposits of the moneys received by the collecting agents, and for confining the requisitions of disbursing agents to such sums as are needed for the payment of claims actually due, if there is a surplus which can be loaned, an arrangement may probably be made with the deposit bank, to keep an interest account with the treasury, and give it the benefit of any surplus earned by the funds of the city. Such an arrangement has existed between the State Treasury and its depository, for the last twenty years.

The addition to the canal fund, mainly from interest on deposits in banks, from 1826 to the close of 1847, as shown in the report of the Commissioners in 1848, was \$2,259,835 77.

The supposed necessity for keeping money in the hands of the public agents, on account of the greater convenience of paying it on their checks, rather than going through the forms required in case of a warrant on the treasury, exists as strongly in the Finance Department as in any other.

In the redemption and sale of lands for taxes, and Croton water rents,, the Comptroller has sold, this year, some three thousand parcels, and has received the money on one thousand, amounting to over twenty thousand dollars; where redemptions are made after a sale on any of these parcels, the sum is returned to the purchasers, by a check signed by the Comptroller. Since January last, fifteen hundred checks of this character have been issued. The practice, heretofore, has been, to deposit the money received by the Comptroller, in the bank, and then have the Redemption Clerk fill up checks, payable to the order of the several purchasers; these checks are signed by the Comptroller, and placed in the hands of the clerk, to be delivered on the call of the purchaser. The checks, thus filled and signed, have been turned over from each Comptroller to his successor. Statement No. 2, is a list of the remaining checks of this character, which came into the hands of the present Comptroller. These checks are drawn by four different Comptrollers, on four separate banks, and cover a period of ten years.

If the bank in which the Comptroller makes his deposit, and on which he draws his checks, fails, where then is the power in the Finance Department to reimburse the purchaser? The Comptroller can hand him the stereotyped

check on the insolvent bank, but he cannot make the claimant good by a warrant on the treasury.

If, however, the money received for Croton water rents, or assessments, is deposited with the City Treasurer, the purchaser or his heirs may be sure of finding it safely reserved and ready for their call, even after the lapse of half a century.

The convenience of paying out the money by a bank check, rather than by a treasury warrant, does not justify the departure from a salutary rule of action, essential to the public interest, and necessary for the protection of the claimant on the treasury.

The State Comptroller has tax sales of ten or fifteen thousand lots at a time, and the purchasers are scattered throughout the State. They pay the amount of their bids to the Treasurer. The period of redemption, and reimbursement of the purchaser, are similar to the regulations for the city. When a purchaser ascertains that a number of lots bid off by him have been redeemed, he procures a bill of them from the Comptroller, with a warrant on the treasury for the amount, and thus is paid. The same process is equally applicable in this city, and there is no reason for saying that there is any absolute necessity for keeping money in such cases in the hands of the Comptroller or his bank, in order to reimburse the purchasers at the sales for water rents or assessments. And it is worthy of special notice, that in regard to the sales of lands for arrears of taxes, the money is paid daily to the Treasurer, and when the purchaser calls for his money, it is paid to him by a warrant of the Comptroller on the

treasury, in the precise manner that purchasers at tax sales of the State Comptroller are paid.

It is worthy of special notice, that the United States' Collector of this port, has collected forty-three millions of dollars during the year ending on the 31st December last, and his deposits are made in the sub-treasury daily.

In opening new streets, and in widening old ones, the expenses are assessed on individuals, and the sums thus assessed are paid into the City Treasury through collectors of assessments in the Street Department. In many cases the property of the city is heavily assessed, to be paid from the treasury. The amount payable for such assessments last year was about \$120,000.

In widening streets, large sums are frequently awarded to individuals, which are payable by the Corporation within four calendar months after the confirmation of the report of the Commissioners of Assessment. In these cases, the money ought to be paid directly from the treasury to the person to whom it is awarded, on a treasury warrant, made payable to his order.

Sales of Lands for Taxes, Assessments, and Regular Rents of Croton Water.

At the extra session of the Legislature, in July last, an act was passed, providing for the establishment of a bureau in the Department of Finance, for the collection of arrears of taxes, assessments, and regular rents of Croton water. The third section of this act declares that "all the duties heretofore required by law to be performed by the Street Commissioner and Comptroller, in relation to advertising, selling and leasing for assessments, taxes, and

regular rents of Croton water, and the redemption of property sold therefor, shall hereafter be performed by the Clerk of Arrears, under the direction of the Comptroller." An important object of this law, is to concentrate in one office all the liens on real estate, arising from arrears of assessments for improvements made in the office of the Street Commissioner; arrears of Croton water rents, and arrears of taxes.

The sixth section of the act provides that no assessment for any improvement shall hereafter be deemed to be fully confirmed, so as to be due, and be a lien upon the property included in it, until the title thereof, with the date of confirmation, shall have been entered, with the date of such entry, in a record of the titles of assessments, to be kept in the Street Commissioner's office; and also in a record of the title of assessments confirmed, to be kept in the office of the Clerk of Arrears.

The ninth section of the act provides that on the 1st of April, in each year, the President of the Croton Aqueduct Board shall cause to be added, on all the water rents then unpaid, a charge of ten per cent., in addition to the charge of ten per cent. added on all sums unpaid on the 1st day of November of the preceding year, under the 20th section of chapter 383, of the Laws of 1849: and the said President shall, on the last day of April, furnish the Clerk of Arrears a separate account, for each ward, of all the lots on which the "regular rents" for that water year are unpaid, with the sums due on each lot, and shall thereafter receive no payments on account of the same.

A column has been added to the assessment rolls of the wards for 1854, headed "regular rents," under which head

the Clerk of Arrears is required to enter, immediately after the confirmation of the assessment rolls, the amounts due for such rents, as furnished by the Croton Aqueduct Board; and, from the time of such entry, the arrears of Croton water rents become a lien upon the property on which they may be due, and are to be collected with the taxes on the same roll.

There is also to be added to the yearly assessment rolls, a column headed "arrears," in which the Clerk of Arrears is to add annually, and before any taxes for the year are collected, all arrears arising from taxes, "regular rents," or assessments remaining unpaid, which were due or confirmed thirteen months prior to the first of June then last past, or which may have been sold for assessments, taxes, or regular rents of Croton water, and yet redeemable.

The fourteenth section provides that "no real estate shall hereafter be sold, for any arrears of taxes on real estate or assessments thereon, until after three years from the time when the same shall have become due; nor for any arrears of "regular rents" for Croton water, until four years from the time the same shall have become due."

It is provided in the sixteenth section, that the receipt of the Clerk of Arrears, for taxes, assessments, and Croton water rents, countersigned by the Comptroller, or the certificate of the Clerk of Arrears, countersigned by the Comptroller, that there are no such liens on the lots, shall forever free them from all liens for taxes, assessments and Croton water rents, in consequence of sales for arrears. Under this section, it will be necessary to keep a diary in the Finance Department, in which an exact copy,

at full length, shall be entered, of each certificate contemplated to be given, and either signed as an original paper by the Searcher, the Clerk of Arrears and the Comptroller, or else to be verified by the certificate of the Clerk of Arrears, that he has compared the same with the original certificate, and found it to agree. And before any lot is sold, it should be ascertained, by a careful examination of the diary, whether any certificate has been given in relation to it, or to the person in whose name it is assessed. The ordinance respecting this bureau should prescribe and enforce these and other necessary obligations to faithfulness, as the only means of protecting the city from litigation and losses, in carrying out the provisions of the sixteenth section. But I respectfully recommend an application to the Legislature for the repeal of this section. Fraudulent certificates might be obtained from heedless or unprincipled officers, which would involve the city in immense losses. The necessity of personal watchfulness, on the part of the individual interested, should not be removed by a provision exposing the city to such hazard.

The closing paragraph of the seventh section, in relation to the fees of collectors, ought also to be repealed—leaving their compensation to be fixed by the Common Council.

Fees for searches are to be regulated by ordinance of the Common Council, and paid into the city treasury. The fees, which, by the seventeenth section, are to be fixed by ordinance, should be moderate and clearly defined. The increase of taxes, assessments and Croton water rents, from one step to another, in the progress of turning

the legal screws to extract the money from those who are indisposed, or more frequently, unable to pay, are very severe already, and the ninth section of the act requires, on Croton Water rents, in April, "another additional charge of ten per cent." The interest is twelve per cent., the same as is charged on arrears of taxes.

Whatever the rate of fees may be, it is indispensable that the public agent who receives any fees should be able to show clearly that he is authorized by an act of the Legislature, or an ordinance of the Common Council, to receive the sum which he demands. It is a protection to the public agent to be enabled to answer the complaints of those who are doing business in his department, by showing him the law for every item demanded; and no public agent should make an exaction, unless he can show authority for it. The complaining party should not be put off with the too common answer, that the exaction is an established usage of the office. These usages, in many cases within my observation, are gross abuses.

The eighteenth section authorizes the Corporation to borrow such amounts as may be required to meet the deficiencies caused by delay in collecting arrears of assessments. The sums required to be borrowed to meet deficiencies, on account of assessments, will be essentially increased, in consequence of deferring the sales for three years, instead of having them annually, as heretofore. At the sale for assessments, in April last, the Street Commissioner bid in for the city, no person offering to pay the assessment for a lease of the land for a thousand years. The amount advanced from the treasury, to pay for "lands purchased for assessments," at the last sale,

was seventy-seven thousand nine hundred and eleven dollar and seventy-two cents.

The extension of time on sales for arrears, will also materially increase the sums to be borrowed on assessment bonds.

The postponement of the collection of arrears from one year to three or four years, is of very questionable advantage, even to the negligent owner, when interest is running against the premises at the rate of twelve per cent. per annum. The requirement to pay annually is a better protection to the careless owner than the seeming privilege of three years. The owner does not knowingly hazard the loss of his land for the small sum assessed on it, unless from forgetfulness or inability to pay. The person who forgets to pay within the year, is still more likely to forget the day if his memory is tasked for three years; and if inability is the cause, it is better for the owner that he should be forced to pay before the twelve per cent. for three years can be added.

The system for the collection of taxes adopted in 1843, is, in most respects, an admirable system, and I do not think the extension of the time for the sales of arrears is an improvement. The fees chargeable on delinquents, however, ought to be clearly defined, and set forth in the tax law itself. There are complaints of exactions on the part of the collector of arrears, which would be removed by such a provision.

Claims of the Corporation of the City of New York for Unpaid Assessments and Taxes.

The act in relation to the collection of arrears of assessments, passed July 20, 1853, and which takes effect on

the first day of January 1854, will bring into the Finance Department, for collection, a list of all the items of assessment prior to 1848, suspended in consequence of the decision of the Court of Appeals in the case of *Doughty vs. Hope*.

There is an amount of seven or eight hundred thousand dollars which ought to be brought into the City Treasury, from the suspended sales for taxes and assessments, arising from what the courts have decided to be a defective notice in regard to redemption of the premises from the effect of the sale. The justice and equity of the claim of the city to indemnity is in no respect impaired or weakened by the defect in the notice. Its effect has been to give the persons assessed some five or six years to redeem their lands from the sale, instead of two years, as provided in the tax and assessment laws.

Cases have been commenced, on the part of the city, to collect the assessments in arrear, and one of these cases is now before the Court of Appeals for a final decision. If this case is decided in favor of the city, it may be desirable to get a special act of the Legislature passed, authorizing the Finance Department to re-advertise and re-sell the lots and premises on which assessments and taxes are still in arrear.

The history of the claims of the city for unpaid assessments is briefly as follows: In October 1846, Judge Edmonds decided, in a case which came before him, where a lot had been sold for arrearages of assessments and a lease executed to the purchasers for eight hundred years, that the mode of giving notice for the redemption of land

sold for assessments, was defective, and the sale void. The case was carried to the Supreme Court for a new trial, which was denied. The law in relation to the sales of land for taxes and assessments, contained a provision that the owners might redeem the land within two years from the date of the sale, and that six months previous to the expiration of the time for redemption "notice should be published in one daily newspaper in the city of New York, twice in each week, for six weeks successively." Judge Bronson, in affirming the opinion of Judge Edmonds, held that "the six weeks publication should have been complete before the commencement of the last six months of the two years after the sale, which is allowed for redeeming." "The publication must be completed within the first eighteen months of the two years." The case was carried to the Court of Appeals, and the decision of the Supreme Court was there affirmed.

In consequence of this decision, the Common Council, in February, 1848, passed an ordinance, authorizing the Comptroller to draw his warrant in favor of the purchasers in all cases of sales for taxes and assessments, for the amount of the purchase money, with interest at the rate of seven per cent., together with the expenses of executing and recording the leases. The amount thus repaid from the City Treasury to the purchasers at the sales for assessments, amounted to one hundred and sixty-two thousand and ninety-six dollars and thirty-three cents.

In the Comptroller's report of 1848, it was stated that the whole number of parcels sold for assessments, and not redeemed, is two thousand six hundred and seventy-four; and the aggregate sum for which they were sold, amounts

to three hundred and forty thousand one hundred and ninety-one dollars and six cents. The number of parcels sold for taxes unredeemed, is four hundred and sixty. The aggregate sum for which they were sold amounts to twenty thousand dollars, making in all, three hundred and sixty thousand one hundred and ninety-one dollars and six cents; to which, add for interest, accruing during several years, and the aggregate will amount to five hundred thousand." This was the state of the account in January, 1848, since which five years have elapsed.

Mr. Turner, the Deputy in the Department of the Street Commissioner, has obligingly furnished an accurate statement of the sum refunded to purchasers, at assessment sales, the sum subsequently paid to the treasury on sales for assessments under defective notices, and the amount of the original assessments still due the city on account of suspended assessment sales. The results are as follows:

| | |
|--|---------------------|
| Money refunded to purchasers at assessment sales,..... | \$162,096 33 |
| Amount paid to city to redeem lands from the lien on account of suspended assessment sales,..... | 101,799 98 |
| Excess of sum refunded to purchasers over that received,..... | \$60,296 35 |
| Add residue of suspended assessment,..... | 441,455 00 |
| And it shows the assessments now outstanding, to be,..... | <u>\$501,751 35</u> |

Interest on the above sum at seven per cent., averaging the time at six years on each assessment, would add two

hundred, and ten thousand dollars, making the total sum now due on these suspended assessments, equal to seven hundred and eleven thousand seven hundred and fifty-one dollars and ninety cents.

The notice of redemption of the sales of land for taxes in 1842, rests under the same defective notice as that relating to assessments; and the ordinance of February 9, 1848, authorizing the return of purchase money to those who had paid for lands sold for assessments, also authorized the Comptroller to refund to those who had purchased lands at the tax sales. The sum thus refunded on account of the tax sales of 1842, was,..... \$3,289 01

The owners of land thus sold, notwithstanding the defect in the notice, have paid,.... 517 83

Leaving yet due on the amount returned under the ordinance of 1848, \$2,771 18

Residue of suspended taxes, or liens held by purchasers,..... 14,500 42

Total,..... \$17,271 60

Add for interest ten years, at seven per cent. 12,089 70

\$29,361 30

Add sums uncollected, on account of assessments,..... 711,751 90

And it makes a total of,..... \$741,113 20

The defect in the notice, although it saved the owner from the forfeiture of the land for eight hundred years, did not pay the debt to the Corporation, or relieve the

land from a lien or incumbrance on it to the amount of the assessment or tax. And Mr. Ewen, in his report of 1848, said : "It is competent for the legislature to authorize a re-sale of the property;" and he recommended, that application be made to the legislature, for a law, authorizing such re-sale, in order to reimburse the city for the sums due on the lands.

The law, however, was not passed, and several years after, suits were commenced by Mr. Davies, to test the question, whether the city could recover the amount of the assessment against the person assessed, and whether it was a lien on the land. In 1850, in the case of the Corporation against Adriance, to recover an assessment in widening William street, it was decided, that "the assessment, on its confirmation by the Supreme Court, became, and was a lien or charge on the premises, and that the same is liable to a preference, over all other incumbrances; and that the plaintiffs recover against the defendant "the amount of said assessment and interest, from May 14, 1847, (the date of confirmation,) and costs of suit." The case was carried to the Court of Appeals, where, in March, 1851, the judgment of the Superior Court was confirmed.

The Bank of England, in foreclosing a mortgage on certain premises in Platt street, charged with assessments, in 1836, in widening John street, made the Corporation a party. It was decided by Judge Roosevelt, at a special term, in 1852, that the assessment was not only a lien or charge on the particular lands assessed, but "entitled to a preference before all other incumbrances upon the same, and may be sued for and recovered, with costs, in like manner as if the said houses and lots, in the language of

the act of 1813, were mortgaged to the Mayor, Aldermen and Commonalty, for the payment thereof. From this decision, an appeal was taken to the General Term of the Supreme Court, but has not yet been decided. A suit was also commenced in the Superior Court, against William Colgate, and the same points taken as in the case of the Bank of England, which were sustained by the Superior Court, at Special and General Term. At the General Term, in December, 1852, Judge Bosworth delivering the opinion of the court, it was decided, that the Corporation may sue for, and recover the amounts assessed; that the lien is not discharged by an insufficient notice in regard to redemption, and that the presumption of payment cannot operate as a bar to such liens, within a less period than within which it can be applied to judgments of courts of record, or mortgages of real estate.

This case is now before the Court of Appeals. If it should be decided in favor of the Corporation, measures ought at once to be taken to bring the large sum in arrear into the treasury, with the least expense and inconvenience to all parties.

The redemptions which have already been made, amounting to more than a hundred thousand dollars, show the desire of the owners of the assessed property to remove the incumbrance, and the decisions of the courts fully establishing the validity of the lien on the lands, and the power of the Corporation to enforce payment, will increase the desire to pay up and remove the lien.

Justice to those who paid their assessments, and to the inhabitants of the city at large, requires that these arrearages should be collected, and made available in lightening the present severe burdens.

The Paving Contract of Russ and Reid.

Two of the tax payers of the city applied for, and obtained an injunction before one of the Judges of the Supreme Court, restraining Russ & Reid from executing a contract for paving Chatham street and the Bowery. The contractors brought the matter to a hearing, before Judge Edmonds, and he dissolved the injunction; they then laid down one thousand yards of the pavement, and presented an account and requisition to the Comptroller for payment. In the mean time, the tax-payers had appealed, from the decision of Judge Edmonds, and their attorneys served a notice on the Comptroller and Chamberlain, which, after giving the title of the cause, and stating the fact, that an appeal had been taken to the Supreme Court, closes as follows :

" You will further take notice, that we intend, on the first Saturday in August next, or as soon thereafter as can be done, to apply, in pursuance of the rules and practice of this Court, for an order, granting leave to the plaintiffs to file their supplemental complaint in this action, setting up the passage of the new charter relating to the city of New York, and other matters; and asking also for an injunction to restrain you, the Comptroller of the city of New York, from auditing or paying over to Messrs. Russ & Reid, or either of them, any moneys upon the contract mentioned, and set out in the original complaint in this action, which supplemental complaint is founded upon the provisions of the new charter, forbidding the making of contracts unless upon proper advertisement and estimates, as therein provided.

And you are hereby notified not to make any payments to the said Russ & Reid, or either of them, upon the contract in the said complaint mentioned.

Dated JULY 29, 1853.

Yours, &c.,

POWERS & TALLMADGE,

Plaintiffs' Attorneys.

TO AZARIAH C. FLAGG,

Comptroller,

OR FRANCIS W. EDMONDS,

Chamberlain.

The Comptroller declined to draw a warrant on the treasury, and Russ & Reid applied for, and obtained a writ of mandamus, to compel him to draw the warrant aforesaid.

The case of the tax payers was argued in November, in presence of the five judges of the Supreme Court, three of whom decided that the original injunction was not improperly granted, but that the order dissolving it was improper, and the injunction was restored and made perpetual.

The mandamus case of Russ & Reid vs. A. C. Flagg, was decided by three of the judges: and two of them, Judges Edmonds and Morris, decided that the Comptroller was bound to draw his warrant in favor of Russ & Reid, for the amount due them for the work actually performed under the contract.

After consultation with the Counsel to the Corporation, an arrangement was made to pay Russ & Reid the amount

claimed for the work done, on condition that they would surrender the contract subject to the approval of the Common Council.

This was done on the 5th instant, and the contract was surrendered to the Comptroller, with an indorsement on it, in the following form:

"At the request of the Comptroller of the city of New York, and in consideration of the sum of one dollar, the receipt whereof is hereby acknowledged; we, the undersigned, do hereby surrender the within contract, and release the Mayor, Aldermen and Commonalty of the city of New York from all claims and demands thereunder, provided that, if this release is not accepted by the Common Council of said city, and the undersigned released on their part by the Mayor, Aldermen and Commonalty of the city of New York, in like manner, this paper is to be wholly void and of no effect.

"In witness whereof, the undersigned have set their hands and seals, this fifth day of January, 1854.

"HORACE P. RUSS,

"GEO. W. REID.

"Witness, PETER B. SWEENEY."

When this was done, the Comptroller gave Russ & Reid a letter, stating that they would be entitled to a warrant on the treasury, for the sum of thirty-three thousand dollars, as soon as the annual appropriation was made.

In any course which the Common Council may consider proper to be adopted, it is respectfully suggested that the

arrangement for paving Chatham street and the Bowery should be preceded by a thorough examination of the obligations of the Harlem and other railroads, in regard to the paving of those avenues. In one of the agreements with the Harlem Railroad, that company is obligated to pave the streets in and about the rails, in a satisfactory manner, and keep the width of twenty feet of said paving, including the rails, in good repair at all times. The extent of this obligation should be ascertained, and also whether the Harlem Company will pay the cost of putting down the kind of pavement decided on by the Common Council. The Second and Third Avenue Railroads are also to keep in good condition a portion of the pavement in a part of the same thoroughfare; and the nature and extent of all these obligations should be ascertained, and the mode of carrying them out should be arranged, before the extent of a contract for paving Chatham street and the Bowery can be based on such "specific and detailed statements" as are required by the seventh section of the Charter of 1849.

**Contract of William B. Reynolds, for removing Dead Animals,
Offal, &c.**

Payment was suspended on this contract in May last. On the 16th of July, the Common Council passed a resolution, reaffirming the validity of the contract made by their direction, and passed a resolution directing the Comptroller to pay to William B. Reynolds the sum of eleven thousand and fifty-one dollars and fifty-one cents, claimed by him at that time. This was refused, on the ground that the contract was illegally made, that it has not been fully performed, &c. Mr. Reynolds then ap-

plied to Judge Edmonds, at a Special Term in September, for a mandamus to compel the Comptroller to draw a warrant on the treasury, which the judge decided in favor of the contractor. The matter was then brought before three of the judges, and two of them—Edmonds and Morris—gave the judgment of the Court in favor of Reynolds.

The Comptroller proposed to Mr. Reynolds to arrange the matter in the same manner as was done in the case of Russ & Reid—to surrender the contract, subject to the future action of the Common Council, and receive his pay for the work done to the present time. But the objection made to this course, by Mr. Reynolds and those interested with him in the contract, is, that they have a large investment which would be of no value to them, severed from this contract; and they, therefore, decline to surrender the contract. Before refusing payment on the contract, the Comptroller was furnished with the opinion of the District Attorney, who had examined the subject with care, and who was in possession of such facts, acquired in the discharge of his official duties, as to induce him to give his opinion that the city ought not to pay on the contract. The Counsel to the Corporation made a thorough examination of the case, and has full confidence that the positions taken by him on the trial, are right, and could hardly fail of being sustained by the Court of Appeals. My own opinion is decidedly in favor of carrying the case to the Court of Appeals, although a decision on some of the points involved is not as necessary, since the adoption of the new charter, as before.

Mr. Reynolds, during the last summer, presented a

claim of over three thousand dollars, for damages done to his boat by a mob, which the Common Council resolved to pay, and he received the money.

In the original arrangement, for accommodating the offal boats near Thirty-fourth street, East river, a bulkhead belonging to the city was set apart for this service. Mr. Reynolds preferred using the pier which was the property of the Farmer's Loan and Trust Company, and an exchange was made. When the complaints were made against the boats, last season, as a nuisance, the Farmer's Loan and Trust Company presented a bill against the city for two years' rent, at one thousand two hundred dollars per annum—equal to two thousand four hundred dollars—which the Comptroller paid, knowing that Mr. Reynolds had used their pier. Subsequently to this, Dr. White, the former City Inspector, called on the Comptroller, and informed him that the city was under no obligation to pay this rent, the pier having been used in exchange for the bulkhead owned by the city.

There is another transaction which has, or was intended to have, a connection with this subject. When the boats of Mr. Reynolds were driven away from the pier at the foot of Thirty-fourth street, the Committee on Public Health examined into the matter, and made a report in favor of paying Mr. Reynolds; and the Committee, or the Board of Health, deemed it expedient to get another depot for Mr. Reynolds on the East river, and fixed on the pier and store-house at the foot of Forty-fifth street; and on the 8th of July, the Common Council passed a resolution directing the Comptroller to purchase a lease of said pier and twenty-one lots connected therewith, and to as-

sign said lease to William B. Reynolds, on his agreeing to pay the annual rent. The Comptroller visited the premises, examined into the whole matter, and declined to pay the bonus of seven thousand dollars for the lease. The reasons of this determination are given in a report made to the Board of Assistants, August 1, 1853. The lessees made out an assignment, tendered it to the Comptroller, and demanded a warrant on the Treasury for seven thousand dollars, in addition to the obligation to pay the annual rent of one thousand dollars reserved, with taxes, &c. The Comptroller refused to give a warrant, but offered to pay all charges incurred by them, including six hundred and fifty dollars paid for the lease. This was declined; and subsequently the lessees obtained a writ of mandamus, and served it on the Comptroller, and on the same day served him with a copy of a resolution passed by the Common Counsel, directing him to pay the seven thousand dollars; and, in case he did not comply, the resolution directed the Counsel to the Corporation to take legal measures to compel the Comptroller to comply with the resolution of the 8th of July, relative to the purchase of the lease. The Counsel reported to the Board of Assistants, on the 15th of September, that he found "the provisions of the resolution such that the courts would not compel the Comptroller to execute it; and that, therefore, the prosecution would fail."

The matter rested until the present month, during which time the lessees had paid rent to the amount of five hundred dollars, when they proposed to discontinue proceedings, and assign the lease on receiving the amount of rent paid, five hundred dollars; the bonus paid for

the lease, six hundred and fifty dollars; repairs of dock, grading and other expenses, amounting, with the foregoing sums, to two thousand three hundred and twenty-three dollars and twenty-four cents. This exceeds the proposition of the Comptroller by five hundred dollars, which sum is alleged to have been advanced by one of the lessees, and sacrificed in breaking up the business in which they were engaged. The sum paid, however, is six thousand three hundred and fifty dollars less than the sum originally demanded, and which the Common Council insisted should be paid, and the Comptroller prosecuted if he did not pay.

The city constructed a pier at the foot of Fortieth street, North river, at an expense of two thousand and eighty-eight dollars, and set it apart for the exclusive use of Mr. Reynolds. By the terms of his contract, he is to receive nineteen dollars per day for carrying dead animals, &c., from this pier to Barren Island. He charges in his bill at this rate, but the service was not performed during the last season. The delay of the boats at Thirty-fourth street, until all the dead animals could be collected from the other side of the city, greatly aggravated the nuisance complained of at the foot of Thirty-fourth street. If only one place of shipment was to be used, Mr. Reynolds could have used the pier at Fortieth street, instead of that at Thirty-fourth street, East river.

The preliminary measures for appealing this case have been taken. The Comptroller preferred to pay at once the balance claimed by Mr. Reynolds, leaving the matter of continuing the contract to the present Common Council. The decisions of the courts show that contracts made

by one Common Council are not binding on their successors. It is your province, therefore, to test the question, whether a service, for which Mr. Reynolds charges annually sixty-five thousand dollars, can be done for five thousand, as was offered to be done at the time this contract was made.

Indexing the Records in the County Offices.

In November, 1852, a Committee of the Board of Supervisors made a contract with Arthur & Burnet, and Collins, Bowne & Co., for indexing the Records in the offices of the County Clerk, Register and Surrogate. It was estimated that the expenditures under this contract would amount to two or three hundred thousand dollars. For this work, or a portion of it, an estimate was made by a competent person, on such data as could be obtained, which amounted to two hundred and fourteen thousand dollars. Mr. Banks, a well known and responsible publisher and bookseller, had an estimate made, and offered to do the same work, in a substantial manner, for fifty-nine thousand dollars. On looking at this matter, as I believe, in all its bearings, and examining the laws in regard to indexing and keeping records in the counties, I came to the conclusion that the authority to make such a contract did not exist, and gave the contractors notice that no further advances would be made until the courts had decided this question.

On the 1st of August, the Board of Supervisors passed resolutions sanctioning the surrender of the contracts, to be canceled on settlement of the accounts by the Comptroller. These contracts are now in this department, and an appropriation has been made for the settlement, and

for paying the clerks who were employed by the Committee in copying the records. (See page 162 of Doc. 17, in regard to tax levy of 1854.) The manuscripts, so far as they have not been printed, and the sheets which have been printed will be delivered to the city when the settlement is made.

All which is respectfully submitted,

A. C. FLAGG, *Comptroller.*

No. 1.

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York, August 15, 1853. }

CIRCULAR,

IN RELATION TO THE FORMS OF KEEPING AND RENDERING
ACCOUNTS IN THE SEVERAL DEPARTMENTS OF THE CITY
GOVERNMENT.

The closing paragraph of the 13th section of the amended charter of 1853, reads as follows, viz :

"All moneys drawn from the city treasury, shall be upon vouchers for the expenditure thereof, examined and allowed by the Auditor, and approved by the Comptroller."

The 11th section of the amended charter of 1849, declares, that "the Department of Finance shall have control of all the fiscal concerns of the Corporation, *and shall prescribe the forms of keeping and rendering all city accounts whatever*, and all accounts rendered to, or kept in the several departments of the city government, shall be subject to the inspection and revision of the officers of this department."

The charter of 1849, makes it the duty of this department to prescribe the forms of keeping and rendering all city accounts; and the charter of 1853 declares, that all moneys drawn from the treasury, shall be upon vouchers

for the expenditure thereof, examined and approved by this department.

The section of the act of 1853, before quoted, is not designed to release the departments and bureaux through which the contracts are made, and the money disbursed, from any of the obligations imposed on them by the ordinances, to scrutinize the accounts, and assure themselves that whenever the public money is paid, a full consideration is obtained for it. The provision is intended to insure a careful examination of the vouchers in detail by the Finance Department, in addition to the audit and examination of the Disbursing Department, before the treasury is drawn upon ; and also, that the public money shall in no case be drawn from the treasury, except on proof, first, to the satisfaction of the Disbursing Department, and, second, to the satisfaction of the Auditing Department, that a full equivalent has been rendered to the public for the sum demanded.

The ordinance of 1849, "organizing the departments of the municipal government, and prescribing their powers and duties," provides, in relation to each of the Disbursing Departments as follows : "All moneys payable by the Corporation for the performance of contracts, or for work done under any bureau in the department, shall be paid by the warrant of the Comptroller, drawn upon the requisition of the Commissioner, against the appropriation applicable thereto ; and all such contracts, and the accounts, vouchers and certificates relating thereto, shall be kept and filed in the office of the Street Commissioner," or other Disbursing Department.

For nearly four years preceding January, 1853, the mode of drawing money from the treasury, by the head of the Disbursing Department, was on a requisition in the following form :

"The Commissioner of Streets and Lamps hereby applies to the Comptroller of the city of New York, for ten thousand dollars, on account of disbursements for lamps and gas, in pursuance of art. 2, chapter 1, section 291, of the revised ordinances," with a reference to the appropriation.

In 1846, and previous, as shown by the books on which the audited accounts are entered, treasury warrants were drawn payable to the order of the person who was entitled to the money. This extended to the small accounts of inspectors and others. This practice continued until after the adoption of the ordinance of 1849, organizing the departments under the amended charter of 1849, and until June of that year.

The amendments to the charter in 1849, were, in many respects, more stringent in regard to disbursements, than those of 1830 ; and yet the ordinance of 1849, provided that all moneys payable by the Corporation should be on a warrant of the Comptroller, *drawn upon the requisition of the Commissioner of the Disbursing Department, against the appropriation applicable thereto.*

The ordinance was signed by the Mayor, &c., on the 30th of May, 1849, and on the 18th of June, there is an entry in the Auditor's books, showing that accounts were returned to the Street Department, because they gave the names of persons who were entitled to pay. Immediately

thereafter, open requisitions were made by the Heads of Departments in their own favor, for ten thousand, twenty thousand, twenty-five thousand, and in May, 1850, for forty-nine thousand dollars. Treasury drafts as large as eighty, one hundred, and a hundred and twenty thousand dollars have been paid to the Heads of Departments, on open requisitions drawn by themselves, and made payable to their own order, to be accounted for at the commencement of the next month.

The ordinance of 1849, required that the head of each department, "on the first Thursday in each month, should render to the Comptroller a full statement, under oath, of the receipts and expenditures of the department." This was the mode in which the public money thus drawn on these open requisitions was accounted for; and the vouchers in detail were not presented to the Auditing Department, either before the money was drawn, nor were they presented after the money was expended, to enable the Finance Department to determine whether the detailed accounts were for legal objects, were properly made out, &c. or accurately extended and added up; thus entirely frustrating and defeating the prime objects of an Auditing Department.

The monthly returns were probably made in the form prescribed by the Finance Department, and hence, no blame can attach to the Disbursing Department. But these returns are too general in their terms, to give a satisfactory account for money expended, unless they are preceded, as is now required by the extract from the new charter, as given in the first paragraph of this circular, by the individual vouchers for all the money expended, and covered by the monthly returns of the heads of departments.

When this mode of drawing money from the treasury came to my knowledge, and it became necessary for me to act in the matter, which was on the 8th of January preceding the first pay day of 1853, I considered it incumbent on the Disbursing Department to accompany each requisition with a statement showing the object of the expenditure, and the sum payable to each, where there were contracts or accounts with individuals. And in all cases of contracts, and in many of individual accounts, the treasury warrants have been made payable to the order of the person who was entitled to the money. In this way the money passes directly from the treasury into the hands of the person who has earned it, and his endorsement on the back of the warrant comes into the Finance Department, as a voucher, in addition to the receipt which the person gives, when the warrant is delivered to him by the head of the Disbursing Department.

In these changes, and in the forms proposed in this circular, it is proper for me to say, that although they may be innovations upon the loose and unsatisfactory system of accountability, which has prevailed since 1849, yet the alterations proposed are in accordance with the established rules of the state, in its disbursements for the support of the government, and in the construction and management of its public works; with the rules established and acted on by moneyed and railroad corporations, and, indeed, by every well ordered business establishment in the city. And in addition to this, I find, on a recent inspection of the books in the Finance Department, that the rule on which I have acted to the present time, is a return, in part only, to the salutary rules of the Finance Department, adopted and acted on previous to 1849.

Whilst the charter makes it the duty of the Finance Department to look after the detailed vouchers, and secure, as far as practicable, economy in the expenditure of the public money in all the departments, it is in no respect less incumbent on each of the other departments to exercise the utmost vigilance to secure the same general object. And it is only by the co-operation of all the departments, and the watchfulness of each, that any material relief can be obtained by the tax payers from the present severe burdens. Each head of department and bureau, and every person who employs laborers, purchases materials, or pays out the public money, should ask himself, in regard to every transaction involving the interest of those for whom he is acting as trustee, "what would be my course in this matter, if the sum involved in it was to be paid from my own pocket, instead of being drawn from the public treasury."

The Duty of Inspectors in Verifying Accounts.

In verifying accounts for work done by contract or otherwise, the superintendents and inspectors are altogether too brief to make the voucher satisfactory. They say "correct," or "approved," and sign their name, in some cases without date, or a designation of office. When a contract for the construction or repair of a building is completed, the Superintendent of Buildings, or other officer, should make himself acquainted with the contents of the contract, and with this document in his hand, should inspect every part of the building, and if found satisfactory, he should make a formal certificate on the account, setting forth, in substance, that he has "carefully examined the work, and has compared the manner of its execution with the specifi-

cations and conditions of the contract, and finds that the work in every particular has been performed according to the terms of the contract." If, on the contrary, he finds any material deviation from the contract, he should certify the fact, and not permit the auditing officer to be led astray in settling the account by any omission on his part.

Where persons are selected to superintend the construction of a particular work, the vouchers for payment should be accompanied by an affidavit from the inspector, setting forth all the facts, so far as his agency is concerned, and showing whether or not he has supervised it from its commencement, or whether a portion was done in his absence, in order that it may be known before payment is made, that the inspector has been faithful to his trust, and that the contractor has done his work according to agreement.

The Manner of Verifying Accounts with Individuals.

In settling ordinary accounts with mechanics, merchants and others, care should be taken to have the account made out by giving the date as to each article, the number and price of each article, and the total; and the account thus made out should be receipted by a person authorized to give receipts for the owners of the articles purchased. And the account should be accompanied by an affidavit, where the articles are not delivered on contract, that the price charged to the Corporation is not greater than the person charged to his other customers for articles of the same kind and quality.

In preparing for pay day, the receipts should be folded of the size of one-fourth of a half sheet of foolscap, be numbered on the outside, with the name, date of being render-

ed, and amount. Then an abstract of these vouchers for each bureau should be made, in which abstract the vouchers should be entered by their number, consecutively, from No. 1, giving on a line the number of the voucher, its date, name, object and amount in each case; where there are check and pay-rolls covering numerous laborers under one foreman, this roll should occupy only one line on the abstract, giving it a number with reference to the vouchers preceding it, with the date, name of the foreman, the nature of work, and the total sum on the whole roll. As the original vouchers, after being presented to the Auditor, are returned to the disbursing department to be filed, it will be necessary that a duplicate of the several abstracts be made to be left with the Auditor.

Copies of Contracts to be filed in Finance Department.

It is necessary to the proper settlement of accounts, that copies of all contracts made by any of the departments, should be filed in this department. Where payments on contracts are made by instalments, reserving ten per cent. as authorized by the second section of the ordinance, which took effect on the first day of January, 1852, (page 16 of ordinances relating to contracts,) it will be necessary to open an account with each contract, both in the Disbursing Department, and by the Auditor in the Finance Department; and when the Auditor's Department is fully organized, under the new charter, such an account should be opened with every contract of every description.

Previous to the adoption of the ordinance of 1849, the rule established by the 9th section of the " Ordinance concerning the Department of Finance," was as follows: " § 9.

All contracts which shall be made by any officer of the Corporation, by virtue of authority on him conferred, by any ordinance or resolution, and which shall require payment of money out of the city treasury, should be filed in the Comptroller's office, as soon as executed,"

The ordinance of 1849, provided that contracts in the Street Department, Repairs and Supplies, and Croton Water Department, should be filed in those departments respectively. The Department of Streets and Lamps, and that of the City Inspector, are omitted.

The first section of the ordinance of 1852, authorizing the issue of assessment bonds, (see page 13 of ordinances relating to contracts,) provides that "it shall be the duty of the heads of departments making such contracts, forthwith to file a true copy thereof with the Comptroller."

The voucher for drawing money from the treasury on a contract, is the contract itself; the only basis for the voucher required by the thirteenth section of the charter, as given in the first paragraph of this circular, is the contract for the work; and as the original is to be filed in the several disbursing departments referred to, a true copy should be furnished to the Finance Department, as is done under the ordinance of 1852, above referred to.

GENERAL REMARKS.

No money should be drawn from the treasury until it is required to meet the obligations of the city. Money is borrowed from day to day, and large sums are paid for the use of it, to meet the current expenses of the treasury; and every agent of the public who has the custody of the

public money, or the power of drawing it, ought to be scrupulously exact in paying over the money collected by him, and not drawing on the treasury until required to do so to meet the demands of those who have earned it.

"Every voucher taken by a disbursing officer, should contain a brief and true history of the transaction between the agent of the city and the individual who signs the voucher; if it is for labor, the account should give the number of days, and the date of commencing and ending; the price per day or month; and if the voucher covers the services of any person who does not sign the receipt, the account should give such explanation as to show that the person signing it had a legal right to receive, and receipt for the money." For instance, if a man is employed with his son, who is a minor, or with an apprentice, the fact should be stated, and the sum for the pay of the minor or apprentice carried out in a separate line, with the price per day or month. But in all other cases, the money should be paid to, and be receipted by the person who does the labor. And in no case should one man be allowed to hire hands to labor for the city, and receive the pay for such labor. All laborers should be employed by the person to whom the power is delegated by the Head of the Department, and the money paid to the person thus employed, or to his written order, and not to any other person.

"If a disbursing officer adheres strictly to the rule of embodying in each receipt, the simple truth in relation to the transaction between the city and the person signing it, he cannot be embarrassed in the settlement of his accounts: Deviations from prescribed forms may be ex-

plained or excused; but deviations from fact in a voucher, destroy its validity, and an explanation, by disclosing the real facts of the case, instead of excusing the officer, tends to cast suspicion either upon his integrity or his capacity. The practice of allowing a person, hired by the month, to receipt for a team driven by him, but which belongs to another person, is wrong, although the interest of the city may not be affected, for the simple reason, that the voucher does not give a true relation of the transaction. Such a voucher, however, may be rendered valid by a writing from the owner of the team, authorizing the driver to receipt for the use of it."

In all cases of a receipt for money, executed by a person who does not sign his name, but makes his mark, the voucher should be verified by a witness.

When services have been faithfully performed, and an honest account rendered, the service should be promptly paid for in a medium equivalent to gold and silver. The money paid out by all the disbursing officers should be as good as that which is received from the treasury. And it is incumbent on the heads of departments and bureaux, to see that every person who renders service, or furnishes materials of any kind, is paid every cent in current money, which is covered by his receipt. The agents who employ hands for the city, are fully remunerated from the treasury, and should not be permitted to add anything to their established compensation, by wresting it from the hard earnings, and scanty remuneration of the laborer.

General Ordinances respecting Contracts.

For more convenient reference, I have collated the ordi-

nances which apply generally to contracts in all the departments, and have had them printed in a pamphlet of twelve pages. It contains also extracts from the amended charter, which relate specially to contracts by all the departments. These have been sent to the several departments, and the contractors should be furnished with copies, in order that all may have a full and fair understanding of the duties and obligations imposed by these ordinances.

This is the more important at this time, since, by the new charter, all work which is to cost over two hundred and fifty dollars must be advertised, and done by contract. This gives increased importance to the minute details respecting proposals and bids for contracts, as given in section 496.

The particular attention of the departments and contractors should also be directed to sections 499 and 501, pages 7 and 8. The latter section declares, that the head of the department, when proposals are opened, "shall award the contracts to the lowest bidder: or, if he shall decline, or not execute the contract, to the next lowest bidder, and so on, until the same shall be executed;" and the 499th section requires that the sureties to the bid shall obligate themselves, "to the effect, that if the contract is awarded to the person making the estimate, they will, upon its being so awarded, become bound for its faithful performance, and that if he shall omit or refuse to execute the same, they will pay to the Corporation any difference between the sum to which he would be entitled upon its completion, and that which the Corporation may be obliged

to pay to the next highest bidder to whom the contract may be awarded."

Whenever a case of this kind occurs, the head of the department should have careful estimates made, to ascertain the extent of the obligation, and report the case to the Counsel to the Corporation, to have the difference collected.

If this course is not pursued, sham bids will be made for the purpose of being thrown up, and of securing the job to those who have made an extravagant offer. If the ordinance is strictly carried out, and the same rule applied to all, it will meet the approval of every fair-minded contractor who desires no advantage, but has a right to exact equal justice to all. The great majority of contractors, entering the lists as a business for life, can desire only fair play and open dealing; and in nine cases out of ten, where chicanery is resorted to, it arises from a belief in the mind of the contractor, that official demoralization has closed up every fair and honorable path to the realization of his hopes. With the contractor it is a matter of business, and when he finds the common highway obstructed by official stumbling blocks, and perceives that those who resort to by-paths, are successful in getting round the obstructions, he is almost forced into the same channel; and trickery in getting jobs, becomes the common law, even among those who desire only a fair chance to perform work at a living profit.

All which is respectfully submitted.

A. C. FLAGG.

No. 2.

STATEMENT

OF COMPTROLLER'S CHECKS AND TREASURY WARRANTS REMAINING IN THE HANDS OF THE COMPTROLLER, DEC. 31, 1853, WITH THE NAMES OF THE PERSONS TO WHOM THEY BELONG, AND THE AMOUNT IN EACH CASE.

| 1844. | Check drawn by. | On what bank. | In favor of. | |
|----------|-----------------------|---------------|----------------------|---------|
| Jan. 25. | A. A. Smith, Compt. | Chem. Bk. | F. Bronson..... | \$24 31 |
| " " | " | " | R. J. Cheesebrough. | 63 23 |
| Dec. 5. | D. N. Williamson..... | | Henry Abeel..... | 14 72 |
| 1845. | | | | |
| Mh. 20. | do..... | | Jos. Higbie..... | 39 11 |
| Apl. 7. | do..... | | J. Nixon..... | 24 09 |
| May 10. | do..... | | W. Skidmore..... | 5 24 |
| Jan. | do..... | | Wm. A. Bloodgood. | 28 78 |
| 1847. | | | | |
| Nay. 7. | John Ewen..... | | J. H. Bailey..... | 8 77 |
| | do..... | | do..... | 10 27 |
| | do..... | | do..... | 4 42 |
| 1848. | | | | |
| Feb. 4. | do..... | | Jeremiah Towle.... | 1 08 |
| " 26. | do..... | | H. Abell..... | 4 89 |
| July 10. | T. J. Waters..... | | Wm. Whitlock..... | 5 76 |
| " 26. | do..... | | J. H. Southard.... | 2 56 |
| Sep. 16. | do..... | | J. B. Nicholson.... | 12 21 |
| " 18. | do..... | | S. W. Skidmore.... | 12 47 |
| " " | do..... | | F. W. Giessenheimer. | 9 98 |
| " 30. | do..... | | G. W. Smith..... | 2 70 |
| Nov. 24. | do..... | | D. Newell..... | 6 62 |
| 1849. | | | | |
| Jan. 26. | do..... | | do..... | 7 79 |
| Feb. 9. | do..... | | T. Harrison..... | 25 47 |
| Mh. 16. | do..... | | do..... | 6 82 |
| " " | do..... | | D. Newell..... | 4 71 |
| " 19. | do..... | | J. C. Thwig..... | 2 84 |
| " 20. | do..... | | J. H. Meyer..... | 5 81 |
| " 22. | do..... | | T. Harrison..... | 36 20 |
| " 24. | do..... | | S. W. Skidmore.... | 8 73 |
| " 27. | do..... | | J. Peshine..... | 3 75 |
| " " | do..... | | J. Gavagan..... | 6 82 |

\$385 16

1850.

WARRANTS.

| | | |
|----------|-----------------------------------|----------|
| July 29. | N. Y. Equitable Insurance Co..... | \$ 83 9 |
| Sep. 18. | Joel Wolfe..... | 5 63 |
| " " | do..... | 20 41 |
| 1852. | | |
| Feb. 9. | Amos Belden..... | 18 39 |
| Mh. 25. | Norris & Matsel..... | 8 94 |
| Apl. 28. | E. H. Laing..... | 31 15 |
| Dec. 13. | Norris & Matsel..... | 13 39 |
| | | \$106 67 |

DOCUMENT No. 17.

BOARD OF ALDERMEN,

FEBRUARY 9, 1854.

The following communication from his Honor the Mayor, transmitting the report of the Chief of Police, relative to the operations and condition of the Police Department, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, Clerk.

MAYOR'S OFFICE, }
February 9, 1854. }

To the Honorable Common Council:

GENTLEMEN:—I transmit herewith the report of the Chief of Police; and I desire to express my hearty concurrence in the views therein expressed by him, not only as to the condition and efficiency of the department, but as to the other topics alluded to in the report.

The operations of the law of 1853, reorganizing the department, have, in my judgment, tended to place it in such a condition as to justify the expectations formed of it by the community; and the Commissioners appointed under that act have faithfully endeavored to carry out all the provisions of the law; and the evidence of their success is to be found in the superior character of the men appointed since its passage, and the general condition and efficiency of the corps.

So satisfactory is the condition of the department at present, I cannot refrain from expressing my regret that any attempt should be made to effect changes. Several acts, however, have been introduced before the Legislature, which, in my judgment, if carried into operation, would seriously impair the usefulness, and effectually destroy the discipline of the department. I invite your attention to these measures, in the confident assurance that you, as custodians of the rights and interests of the city, and intrusted with the security of its citizens as to their lives and property, will, by your official action, express your sense of this unnecessary and injurious legislation.

The bill for the election of Chief of Police would, in my opinion, if enacted into a law, strike a blow at the efficiency and discipline of the department, from which it could never recover. The Chief of Police is now nominated by each successive Mayor, who has a right to look to that officer for a hearty co-operation in all measures which he may direct for the security of life and property. He is as amenable for any derilection of duty as the humblest member of the force, and can be as readily removed from office. The proposed law divests the Mayor of the right (as I deem it) of selecting this important officer, and so divides the responsibility, that there would remain no actual head to the department.

I have felt called on thus to express my sense of these proposed amendments to the law, as it now stands, from a conviction of the duty I owe to the community, and I trust they will receive immediate attention at your hands.

JACOB A. WESTERVELT.

TO HON. J. A. WESTERVELT,

Mayor.

SIR:—In accordance with article 3d, section 5th, of the Police Law, relative to the city of New York, I herewith present to you a report of the operations and condition of the Police Department. I avail myself of this occasion to express my own satisfaction at the present condition, efficiency, and discipline of the force. That these are attributable, in a very great measure, to the operations of the law of 1853 reorganizing the Department, cannot be doubted. The mode of appointment previous to the passage of this law was not deemed favorable to the best interests of the department, as, although the power of confirmation was vested in the Mayor, the selection and nomination was with other parties. By the operations of the present law any citizen may apply for appointment, and as all applicants are personally examined by the appointing powers, in addition to being required to furnish undoubted testimonials as to character, and fitness for the duties of policemen, the Commissioners have it in their power to select only such, as in their united judgment, are most competent and capable for the post. That appointments have thus far been made with decided advantage over any other system is abundantly manifested by the superior character of the newly appointed men, and the high state of discipline and efficiency to which the department has attained, fully justifying the confidence which the community has a right to repose in a force so large and important.

The Commissioners, immediately on entering upon the discharge of their arduous duties determined to render judgment upon cases brought before them for trial, immediately after the trial cause, and before interested individuals, disconnected with the department, could have an opportunity to interfere. The effect of this determination upon the department was almost magical. During the first six months but one hundred and forty three policemen were cited to appear before the Commissioners for trial, being a diminution of one-fourth, as compared with the previous six months. This has resulted entirely from the certainty and not from the severity of punishment, as but three or four trials have taken place in which judgment was not immediately rendered. The faithful and meritorious officer is assured of being appreciated and promoted. The old system of detailing officers for various special duties, which was open to so many objections, on account of the abuses perpetrated under it, has been abolished and a reserve corps has been established, into which none have been admitted except upon the production of satisfactory evidences that they have earned the privileges of this corps by previous good conduct, by strict attention to duty, and by the exhibition of superior fitness for the responsible, and sometimes delicate, duties devolving upon members of this corps. This is, in fact, a suited promotion, as it is certainly an official recognition of faithful services, and has proved decidedly advantageous to the department, stimulating all with a laudable ambition to excel, and thus deserve the privileges of a member of the reserve corps. This portion of the force, upon whom devolve all the duties of the old detailed men, is divided into squads of four men, under the command of

a sergeant, and I desire to express my entire satisfaction not only with the operations of this new organization, but with the conduct of the corps, which has merited my warmest commendation. The Commissioners also adopted a regulation requiring all the members of the department to wear a blue coat of uniform make, and a cap for night and day patrol duty, so that the men could be easily recognized by the citizens. The regulation has been complied with by all the members of the department, with three or four exceptions. The policemen who refused to comply have been tried by the Commissioners of Police, and the case carried up to the Supreme Court, before which court it is still pending.

Since my last report to your Honor, I have selected a competent policeman to act as drill-sergeant, whose duty it is to take the men appointed by the Commissioners of Police, and instruct them in the military art, and in the rules and regulations adopted for the government of the Police Department. While under instruction they are required to act as a reserve force to attend at fires, &c., and to perform patrol duty in different parts of the city, under the directions of their sergeants; after being thus thoroughly drilled and instructed, they are directed to report themselves to their several captains and are ready to perform any duty he may require of them. It has heretofore been the practice to place a man on patrol duty the same day he was appointed, so that he was intrusted with the custody of the property, and even the lives of the citizens, without understanding the rules and regulations or comprehending the highly important trusts confided to him. Persons entirely unacquainted with police duties are constantly connecting themselves with the department, and

they could not be expected to perform their duties well until they were thoroughly instructed. Under the present system it is to be hoped that the evils heretofore experienced will be materially abated.

In accordance with section 59, of the Rules and Regulations, the policemen in the different districts are now being thoroughly instructed in the military art, and decided improvement is already visible at fires and other places where they are required to act in concert, and in case of riot they will be able to act with increased efficiency and power.

The greatest benefit resulting to the community under the law of 1853, is the separation of the department from political influences. The term of appointments was made to depend upon the good behavior of the incumbents, so that they are left free to act according to the rules of the department, without the fear or favor of any person. Under the former law they well understood that they had to enter the political arena, and connect themselves with the dominant clique of partizans in the separate wards, in order to secure a reappointment at the expiration of the term for which they were appointed, so that instead of being disinterested officers at the polls during the election they become interested partizans striving for the success of their favorite cliques. Policemen were found connected with clubs, committees, and other organizations of a political character, leading them to perform their duty with inattention, and sometimes to entirely neglect it, thus exercising a most baneful influence upon the efficiency and character of the department. In some instances

policemen resigned their situations a few days prior to an election, to enable them to enter upon the contest untrammelled, while their places were kept purposely vacant until the election was over, when they were reappointed for a term of years. In other cases, policemen, on ascertaining that their particular cliques had been defeated at the election, would resign their offices, and obtain a reappointment from the Alderman and Assistant then in office, for a term of years extending beyond the period of time for which their successors were elected.

In this way, the whole department was kept as it were, in a state of constant excitement, impairing its usefulness, and turning it into a political engine for the advancement of particular cliques or individuals. To obviate these difficulties, the Commissioners adopted the following rule:

SEC. 39. "The right to vote is guaranteed by the constitution to every citizen of the United States; but in order to prevent a partial discharge of the very important duties confided to the force, no member of the Police Department will be permitted to connect himself, directly or in any way, with a society, club, committee or organization of any kind, the object of which is the political advancement of a party, clique or individual."

Immediately after the promulgation of the above rule, officers, and the policemen connected with such organizations, immediately resigned from them, and they are now performing their duty with fidelity to the city.

I have connected with this report, a statistical table, showing the whole number of arrests made since the first organization of this department, from which it appears

that during a period of eight years, there have been arrested for

| | |
|---|--------|
| Assault and battery..... | 27,904 |
| Disorderly conduct..... | 34,735 |
| Fighting in the streets..... | 4,131 |
| Intoxication, and disorderly conduct..... | 48,217 |
| Intoxication..... | 63,944 |
| Vagrancy..... | 21,155 |

Making a total of.....200,086

Or equal to one-third of the whole population of the city. Unexplained, these statistics would present evidence of demoralization in our city which would be frightful in the extreme. Of this number, many of the persons so charged have been arrested several times for the same offences, while many others belonged to other sections of the country, and have been arrested for these disgraceful offences while temporarily sojourning among us. It will average at least three arrests of the same persons for these offences, and by dividing the whole number, two hundred thousand and eighty-six by three, it will be seen that the whole number of separate persons actually arrested, amounts to six thousand six hundred and ninety-five; if there is deducted from this number fifteen thousand strangers, arrested while temporarily sojourning in the city, it will leave fifty-one thousand six hundred and ninety-five, and the record still shows the humiliating fact of the arrest of one out of every eleven of the inhabitants of this city, for these offences against law and morals. It may be interesting to inquire into the producing cause of so much evil, with a view to apply some adequate remedy. I would here remark that several years since, in view of the enormous evils alluded to, I directed

the captains of police to report the number of persons engaged in the liquor traffic in their several districts. These reports have been regularly made to the present time, and on each occasion of reporting to the Mayor, I have embodied this information in a statistical table, with the expectation that it was only necessary to lay before those whose duty it was to apply the remedy, the evils resulting from an indiscriminate license system. The evil, however, has not been abated, and the number has steadily increased until the present time, when they number, as appears from the table annexed, seven thousand and seventy-five. During the past summer, after consulting with a foreman of the grand jury, I directed the captains of the several districts to report to that body, the names and places of business of the several persons in their districts who were engaged in selling liquor without being licensed, together with such evidence of the fact as was in their possession. The order was immediately complied with, and thereupon the grand jury found true bills of indictment against all the persons thus engaged, and on their being arrested and brought into court, the larger part of them plead guilty, and were severally punished by the City Judge, who then presided at the Court of Sessions. By these proceedings the number thus engaged in selling liquor has been materially reduced, although this illegal traffic has not been entirely prevented. Some of the persons who were sent to prison on that occasion, immediately on the expiration of their term of imprisonment, recommenced the traffic, and orders have been issued to arrest every person found violating the law. The Common Council are fully empowered to pass a penal ordinance on this subject, providing for the summary conviction of persons thus offending. On the

thirtieth of April, eighteen hundred and forty-nine, the whole number of persons engaged in the liquor traffic was four thousand five hundred and sixty-seven, against seven thousand and seventy-five on the thirty-first of December, eighteen hundred and fifty-three, being an increase of two thousand five hundred and eight in four years and nine months. During the three months ending with April thirtieth, eighteen hundred and forty-nine, there were arrested for intoxication and disorderly conduct, three thousand four hundred and fifty-five. During the three months ending with September, eighteen hundred and fifty-three, there were arrested for intoxication and disorderly conduct, six thousand four hundred and eighteen, being an increase of two thousand nine hundred and sixty-three, or about eighty-five per cent. increase in four and one-half years. The statistical table hereto annexed, showing the number of persons arrested from the first organization of the Department to the present time, will be found both interesting and instructive.

Respectfully submitted.

GEO. W. MATSELL,
Chief of Police.

REPORT

Made by the Captains of the several Patrol Districts, to the Chief of Police, of persons apprehended for Felonies, Misdemeanors, and other offences, from the first day of July to the thirty-first day of December, 1853, inclusive.

| OFFENCES. | JULY. | AUGUST. | SEPTEMBER. | OCTOBER. | NOVEMBER. | DECEMBER. | TOTAL. |
|---|-------|---------|------------|----------|-----------|-----------|--------|
| Arson..... | 3 | .... | 2 | 2 | 5 | 3 | 13 |
| Assault with intent to kill..... | 19 | 29 | 28 | 21 | 22 | 25 | 144 |
| Assault and Battery..... | 313 | 370 | 317 | 269 | 297 | 233 | 1,799 |
| Assaulting Policemen..... | 18 | 14 | 2 | 6 | 5 | 12 | 57 |
| Attempt at Rape..... | 2 | 3 | 2 | 7 | 5 | 1 | 20 |
| Attempt to Steal..... | 6 | 24 | 49 | 35 | 33 | 22 | 169 |
| Attempt at Burglary..... | 1 | 3 | 1 | 4 | 2 | 2 | 13 |
| Aiding and assisting to escape.... | 5 | 15 | 20 | 10 | 3 | 5 | 58 |
| Abandonment..... | 8 | 13 | 12 | 10 | 4 | 10 | 57 |
| Burglary..... | 11 | 29 | 19 | 17 | 19 | 17 | 112 |
| Bigamy..... | 1 | 1 | .... | 1 | .... | .... | 3 |
| Bastardy..... | 2 | 1 | 2 | .... | .... | 3 | 8 |
| Constructive Larceny..... | 3 | 4 | 2 | .... | 1 | 3 | 13 |
| Disorderly Conduct..... | 439 | 507 | 604 | 467 | 346 | 406 | 2,769 |
| Deserters..... | 16 | 4 | 12 | 7 | 14 | 1 | 54 |
| Driving without License..... | 3 | 1 | .... | .... | .... | 2 | 6 |
| Embezzlement..... | 2 | .... | 5 | 1 | 2 | 5 | 15 |
| Escaped Convicts..... | 5 | 6 | 5 | 5 | 3 | 2 | 26 |
| Forgery..... | .... | .... | 2 | 1 | .... | 3 | 6 |
| Felony..... | .... | 11 | 5 | 9 | 3 | 3 | 31 |
| Fraud..... | 4 | 5 | 4 | 13 | 18 | 9 | 53 |
| Fighting in the streets..... | 144 | 87 | 91 | 68 | 59 | 56 | 505 |
| Grand Larceny..... | 52 | 87 | 57 | 90 | 50 | 95 | 431 |
| Gambling..... | 5 | 5 | 1 | 4 | 1 | 30 | 46 |
| Insanity..... | 46 | 58 | 79 | 61 | 49 | 27 | 320 |
| Intoxication..... | 821 | 1036 | 952 | 1108 | 1021 | 1112 | 6,050 |
| Intoxication and disorderly conduct..... | 674 | 663 | 722 | 610 | 619 | 610 | 3,898 |
| Indecent exposure of person..... | 18 | 5 | 14 | 5 | 4 | 3 | 49 |
| Insulting females in the street..... | 5 | 5 | 8 | 2 | 3 | 2 | 25 |
| Keeping disorderly houses..... | 14 | 7 | 15 | 2 | 8 | 8 | 54 |
| Miscellaneous Misdemeanory..... | 279 | 103 | 90 | 44 | 18 | 18 | 552 |
| Murder..... | 3 | 2 | 1 | 1 | 1 | 7 | 15 |
| Obtaining goods by false pretences..... | 8 | 1 | .... | .... | .... | .... | 9 |
| Petit Larceny..... | 226 | 253 | 288 | 298 | 278 | 373 | 1,716 |
| Pickpockets..... | 13 | 32 | 29 | 19 | 38 | 49 | 180 |
| Passing counterfeit money..... | 13 | 13 | 11 | 19 | 15 | 27 | 98 |
| Perjury..... | .... | .... | 1 | .... | .... | 1 | 2 |
| Rapes..... | 4 | .... | .... | .... | 4 | 1 | 9 |
| Robbery in first degree..... | 12 | .... | 1 | 2 | 9 | 16 | 40 |
| Receiving stolen goods..... | 3 | 2 | .... | 1 | 8 | 7 | 21 |
| Runaway apprentices..... | 2 | 7 | 9 | 5 | 2 | 2 | 27 |
| Selling spirituous liquors without license..... | 4 | 9 | 536 | 54 | 11 | 1 | 615 |
| Selling lottery policies, &c..... | 1 | 1 | .... | 1 | .... | .... | 3 |
| Threatening life..... | 6 | 1 | 5 | 6 | 2 | 1 | 21 |
| Vagrancy..... | 290 | 295 | 385 | 270 | 227 | 313 | 1,770 |
| Violation of Corporation ordinances..... | 22 | 121 | 70 | 46 | 38 | 55 | 352 |
| Total..... | 3516 | 3833 | 4458 | 3601 | 3247 | 3581 | 22,236 |

[illegible]

REPORT

Made by the Captains of the several Patrol Districts, to the Chief of Police, of the number and description of offences committed against property, in each district, from the first day of July to the thirty-first day of December, 1853, both inclusive.

| DISTRICTS. | Arson. | Attempt at burglary. | Attempt to steal. | Burglary. | Constructive Larceny. | Embezzlement. | Forgery. | Fraud. | Felony. | False Pretence. | Grand larceny. | Gambling. | Petit larceny | Pickpockets. | Passing coun. money. | Robbery, 1st degree. | Receiving stolen goods. | TOTAL. |
|------------|--------|----------------------|-------------------|-----------|-----------------------|---------------|----------|--------|---------|-----------------|----------------|-----------|---------------|--------------|----------------------|----------------------|-------------------------|--------|
| 1 | .. | .. | 9 | 13 | .. | .. | .. | 5 | .. | 8 | 37 | .. | 143 | 11 | 2 | 5 | 2 | 235 |
| 2 | .. | 1 | 8 | 7 | .. | .. | 1 | 2 | 1 | 2 | 48 | .. | 93 | 19 | .. | 2 | .. | 184 |
| 3 | .. | .. | 11 | 5 | 1 | .. | 1 | 17 | .. | 1 | 46 | 3 | 149 | 16 | 4 | 1 | 2 | 257 |
| 4 | .. | .. | 7 | 3 | .. | .. | .. | .. | .. | 2 | 53 | .. | 199 | 33 | 15 | 6 | 5 | 323 |
| 5 | 1 | .. | 3 | 11 | .. | .. | .. | 5 | 1 | 1 | 44 | .. | 105 | 3 | 10 | 4 | 2 | 190 |
| 6 | .. | 2 | .. | 12 | .. | .. | .. | 1 | .. | 1 | 77 | 4 | 201 | 6 | 9 | 15 | 5 | 333 |
| 7 | 1 | .. | 2 | 11 | 2 | .. | .. | .. | 2 | .. | 19 | .. | 95 | 6 | 2 | 3 | 2 | 145 |
| 8 | .. | .. | 4 | 10 | 1 | 1 | .. | .. | 1 | .. | 39 | .. | 55 | 4 | 12 | .. | 2 | 129 |
| 9 | .. | 2 | .. | 9 | 1 | .. | 1 | 1 | 2 | .. | 28 | .. | 58 | 2 | 3 | .. | 3 | 110 |
| 10 | .. | .. | 27 | 11 | .. | .. | .. | .. | .. | 2 | 22 | .. | 34 | 8 | 3 | .. | .. | 107 |
| 11 | 3 | .. | 8 | 1 | 1 | .. | .. | 1 | .. | 1 | 12 | 24 | 66 | 1 | 5 | 2 | 2 | 127 |
| 12 | 1 | .. | .. | 2 | .. | 1 | .. | .. | .. | .. | 3 | .. | 7 | 4 | .. | .. | .. | 18 |
| 13 | .. | .. | 1 | 4 | .. | .. | .. | 2 | .. | 3 | 6 | 5 | 58 | 1 | 3 | .. | .. | 83 |
| 14 | 2 | .. | 2 | 7 | .. | .. | .. | 1 | .. | 1 | 30 | .. | 71 | 7 | 5 | .. | 1 | 127 |
| 15 | .. | 1 | 23 | 15 | .. | .. | .. | .. | .. | .. | 18 | .. | 28 | 1 | 2 | 1 | .. | 89 |
| 16 | .. | .. | 5 | 7 | 1 | 2 | .. | .. | .. | .. | 11 | .. | 48 | 4 | 1 | .. | 1 | 80 |
| 17 | .. | .. | 24 | 21 | .. | .. | 1 | 2 | .. | 8 | 23 | .. | 76 | 3 | 2 | 1 | .. | 161 |
| 18 | 1 | .. | 31 | 24 | 3 | 1 | 1 | .. | 3 | 2 | 37 | .. | 96 | 13 | 4 | 1 | 12 | 229 |
| 19 | 2 | .. | 3 | 10 | .. | .. | .. | .. | 4 | .. | 14 | .. | 64 | 7 | .. | 1 | .. | 105 |
| 20 | .. | .. | 7 | 11 | .. | .. | .. | 1 | .. | .. | 21 | 4 | 61 | .. | 4 | 1 | 4 | 114 |
| 11 | 6 | 175 | 194 | 10 | 5 | 5 | 38 | 14 | 32 | 588 | 40 | 1707 | 149 | 86 | 43 | 43 | 3146 | |

REPORT

Made to the Chief of Police, showing the whole number of Arrests and description of offences, from the first organization of the Police Department, July 15th, 1845, to the 31st of December, 1853, inclusive.

| OFFENCES. | July 1st to October 5th, 1845. | | | | | | | | | | | | | | | | | | | TOTALS. |
|---|--------------------------------|-------------------------------------|--------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|---|--|---------------------------------------|---------------------------------------|--|--|--|--|--|---------|
| | July 1st to October 5th, 1845. | October 16th to February 1st, 1846. | February 1st to May 1st, 1846. | May 1st, 1846, to November 1st, 1846. | November 1st, 1846, to May 1st, 1847. | May 1st, 1847, to November 1st, 1847. | November 1st, 1847, to May 1st, 1848. | May 1st, 1848, to November 1st, 1848. | November 1st, 1848, to May 1st, 1849. | May 1st, 1849, to November 1st, 1849. | November 1st, 1849, to April 1st, 1850. | April 1st, 1850, to October 1st, 1850. | October 1st, 1850, to July 1st, 1851. | July 1st, 1851, to January 1st, 1851. | January 1st, 1851, to June 30th, 1851. | June 30th, 1851, to December 31st, 1851. | December 31st, 1851, to June 30th, 1852. | June 30th, 1852, to December 31st, 1852. | December 31st, 1852, to June 30th, 1853. | |
| Arson..... | 1 | ..... | 8 | 8 | 4 | 5 | 4 | 23 | 3 | 3 | 6 | 15 | 7 | 3 | 10 | 8 | 14 | 10 | 15 | 147 |
| Assault with intent to kill..... | ..... | ..... | ..... | 46 | 15 | 33 | 12 | 37 | 39 | 106 | 69 | 66 | 62 | 99 | 90 | 87 | 82 | 69 | 144 | 1,061 |
| Assault and Battery..... | 834 | 535 | 431 | 1,103 | 688 | 1,028 | 849 | 1,442 | 934 | 2,120 | 764 | 2574 | 1214 | 2,514 | 2,563 | 2,188 | 2,796 | 1,876 | 1,751 | 27,904 |
| Assaulting and interfering with Police. | ..... | 29 | 27 | 98 | 50 | 70 | 20 | ..... | ..... | 139 | 54 | 186 | 60 | 107 | 135 | 89 | 154 | 46 | 57 | 1,321 |
| Attempt at Rape..... | ..... | 3 | 5 | 18 | 4 | 7 | 4 | 11 | 1 | 9 | 5 | 13 | 2 | 50 | 6 | 15 | 7 | 14 | 20 | 194 |
| " to Steal..... | 24 | 48 | 14 | 12 | 58 | 53 | 54 | 21 | 8 | 11 | 42 | 118 | 77 | 15 | 103 | 158 | 161 | 67 | 169 | 1,218 |
| " at Burglary..... | ..... | 7 | ..... | 5 | 16 | 5 | 4 | 11 | ..... | 18 | 28 | 49 | 11 | 110 | 16 | 11 | 44 | 20 | 18 | 371 |
| Aiding and assisting to escape..... | 21 | ..... | ..... | 8 | 19 | 11 | 16 | ..... | ..... | 48 | 18 | 59 | 12 | 25 | 48 | 34 | 32 | 17 | 52 | 420 |
| Abandonment..... | 19 | 13 | 8 | 25 | 4 | 29 | 22 | 32 | 18 | 10 | 14 | 86 | 56 | 102 | 128 | 88 | 152 | 35 | 58 | 899 |
| Burglary..... | 57 | 48 | 21 | 44 | 61 | 52 | 33 | 60 | 58 | 60 | 75 | 119 | 63 | 94 | 106 | 110 | 96 | 94 | 117 | 1,308 |
| Burglary..... | 10 | 1 | ..... | 3 | 5 | 5 | 5 | 6 | 8 | 2 | 7 | 10 | 9 | 11 | 13 | 9 | 7 | 3 | 3 | 112 |
| Barsturdy..... | ..... | 2 | ..... | 6 | 5 | 11 | 11 | 12 | 19 | 22 | 3 | 56 | 40 | 91 | 141 | 119 | 94 | 3 | 9 | 644 |
| Constructive Larceny..... | ..... | ..... | ..... | 7 | 9 | 7 | 4 | 14 | 4 | 10 | ..... | 10 | 6 | 15 | 4 | 2 | 1 | 2 | 13 | 108 |
| Disorderly Conduct..... | 1343 | 726 | 703 | 2,492 | 1,167 | 2,297 | 1,275 | 2,143 | 1,580 | 1,988 | 11,550 | 2316 | 2,861 | 2,551 | 19,48 | 26,44 | 22,10 | 27,69 | 34,735 | 34,735 |
| Deserters..... | 4 | 6 | 6 | 35 | 43 | 82 | 41 | 16 | 23 | 24 | 7 | 15 | 14 | 14 | 7 | 7 | 16 | 14 | 54 | 428 |
| Driving without License. | ..... | ..... | ..... | ..... | ..... | 25 | 10 | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | 361 |
| Embezzlement..... | 1 | 1 | 2 | 3 | 5 | 2 | 4 | 4 | 11 | 11 | 3 | 19 | 8 | 13 | 24 | 20 | 18 | 5 | 15 | 169 |
| Escaped Convicts..... | 15 | 9 | 16 | 55 | 27 | 39 | 18 | 21 | 13 | 27 | 11 | 43 | 9 | 19 | 14 | 21 | 30 | 16 | 26 | 429 |

REPORT

Made by the Captains of the several Patrol Districts to the Chief of Police, of violations of city ordinances, from the first day of July to the thirty-first day of December, 1853, inclusive, which were sent to the Corporation Attorney for prosecution.

| NATURE OF OFFENCES. | JULY. | AUGUST. | SEPTEMBER. | OCTOBER. | NOVEMBER. | DECEMBER. | TOTAL. |
|--------------------------------|-------|---------|------------|----------|-----------|-----------|--------|
| In relation to | | | | | | | |
| “ Carts..... | 37 | 6 | .. | .. | .. | .. | 43 |
| “ Croton Water..... | 5 | .. | .. | .. | 1 | .. | 6 |
| “ Docks and Slips..... | .. | .. | .. | .. | .. | .. | .. |
| “ Encumbering streets..... | 3 | 11 | 5 | 16 | 2 | 8 | 45 |
| “ “ side-walks.... | 2 | 11 | 5 | 30 | 16 | 23 | 87 |
| “ Engines on side-walks..... | .. | .. | .. | .. | .. | .. | .. |
| “ Fast driving..... | .. | .. | .. | .. | .. | 1 | 1 |
| “ Hacks..... | 3 | .. | .. | .. | .. | .. | 3 |
| “ Junk shops..... | .. | .. | .. | .. | .. | .. | .. |
| “ Miscellaneous violations.... | .. | .. | .. | 2 | .. | 3 | 5 |
| “ Stages..... | 2 | .. | .. | .. | .. | 26 | 28 |
| “ Signs..... | .. | .. | .. | 2 | .. | 1 | 3 |
| “ Sinks..... | .. | .. | .. | .. | .. | .. | .. |
| “ Selling liquor on Sundays.. | .. | 1 | .. | .. | .. | .. | 1 |
| “ “ “ without license.. | .. | 17 | 4 | .. | .. | 2 | 23 |
| “ Second-hand dealers..... | .. | .. | .. | .. | .. | .. | .. |
| “ Throwing garbage in street.. | .. | 40 | 9 | 1 | .. | 1 | 51 |
| “ Throwing ashes in street.... | .. | .. | 2 | 1 | .. | .. | 3 |
| “ Vault grates..... | .. | .. | .. | .. | 1 | .. | 1 |
| “ Wagons..... | .. | .. | .. | .. | .. | .. | .. |
| “ Snow and Ice..... | .. | .. | .. | .. | .. | 51 | 51 |
| Total..... | 52 | 86 | 25 | 52 | 20 | 116 | 351 |

RECAPITULATION

Showing the number of violations of City Ordinances, as reported by the Captains
of the several Districts.

| DISTRICTS. | Carts. | Croton Water. | Docks and Slips. | Encumbering streets. | Encumbering side-walks. | Engines on side-walks. | Fast Driving. | Hacks. | Junk shops. | Miscellaneous. | Stages. | Signs. | Sinks. | Selling liquor on Sundays. | Selling liquor without license. | Second-hand dealers. | Throwing garbage in street. | Throwing ashes in the street. | Vault grates. | Wagons. | Snow and ice. | TOTAL. |
|--------------------|--------|---------------|------------------|----------------------|-------------------------|------------------------|---------------|--------|-------------|----------------|---------|--------|--------|----------------------------|---------------------------------|----------------------|-----------------------------|-------------------------------|---------------|---------|---------------|--------|
| First..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 24 |
| Second..... | .. | .. | .. | 1 | 7 | .. | .. | .. | .. | 4 | .. | 2 | .. | .. | .. | .. | 10 | .. | .. | .. | .. | 20 |
| Third..... | .. | .. | .. | 6 | 11 | .. | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | 1 | 1 | .. | .. | .. | 18 |
| Fourth..... | .. | .. | .. | 9 | 9 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 27 |
| Fifth..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 17 | .. | .. | 8 | 2 | .. | .. | .. | 13 |
| Sixth..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 14 |
| Seventh..... | 2 | 1 | .. | 3 | 2 | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. | 4 | .. | .. | .. | .. | 5 |
| Eighth..... | .. | .. | .. | 2 | 4 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 3 | .. | .. | .. | .. | 11 |
| Ninth..... | .. | .. | .. | 1 | 2 | .. | .. | .. | .. | .. | .. | .. | .. | 2 | .. | .. | .. | .. | .. | .. | .. | 1 |
| Tenth..... | .. | .. | .. | .. | 6 | .. | .. | .. | .. | .. | .. | .. | .. | 4 | .. | .. | 1 | .. | .. | .. | .. | 1 |
| Eleventh..... | .. | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 2 |
| Twelfth..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. | .. | 10 |
| Thirteenth..... | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 1 | .. | .. | .. | .. | 1 |
| Fourteenth..... | .. | .. | .. | 4 | 5 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 52 |
| Fifteenth..... | .. | .. | .. | .. | 1 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 13 | .. | 1 | .. | .. | 59 |
| Sixteenth..... | .. | .. | .. | 10 | 23 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 10 |
| Seventeenth..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 84 |
| Eighteenth..... | .. | .. | .. | .. | 1 | .. | .. | .. | .. | 2 | .. | .. | .. | .. | .. | .. | 5 | .. | .. | 51 | .. | 10 |
| Nineteenth..... | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 84 |
| Twentieth..... | .. | .. | .. | .. | 5 | 5 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 10 |
| Chief's Office.... | 41 | 5 | .. | 4 | 5 | .. | .. | 3 | .. | 26 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | 84 |
| Totals..... | 43 | 6 | .. | 45 | 87 | .. | 1 | 3 | .. | 5 | 28 | 3 | .. | 1 | 23 | .. | 51 | 3 | 1 | .. | 51 | 351 |

REPORT

Made to the Chief of Police by the Captains of the several Patrol Districts, exhibiting the following miscellaneous transactions, from the first day of July to the thirty-first day of December, 1853, inclusive.

| DISTRICTS. | Persons Lodged. | Lost Children restored. | Sick and injured aided. | Rescued from drowning. | Fires extinguished. | Stores and Dwellings found open and secured. | Cattle astray; restored. | Horses astray, restored. | Money and property taken from lodgers and drunken persons and restored. |
|------------|-----------------|-------------------------|-------------------------|------------------------|---------------------|--|--------------------------|--------------------------|---|
| 1st | 3050 | 42 | 36 | 27 | 7 | 40 | .... | 21 | \$5,771 45 |
| 2d | 1847 | 35 | 36 | 6 | 6 | 260 | .... | 11 | 767 47 |
| 3d | 587 | 20 | 70 | 6 | .... | 37 | 3 | 20 | 7,430 95 |
| 4th | 2182 | 64 | 21 | 5 | .... | 64 | 10 | 14 | 4,736 29 |
| 5th | 1168 | 30 | 20 | 2 | 2 | 15 | .... | 15 | 3,650 93 |
| 6th | 2253 | 46 | 47 | ... | .... | 26 | .... | 21 | 10,919 31 |
| 7th | 1281 | 27 | 17 | 9 | 3 | 9 | 6 | .... | 1,246 91 |
| 8th | 406 | 25 | 20 | 3 | 7 | 10 | .... | .... | 1,368 93 |
| 9th | 929 | 88 | 39 | 1 | 3 | 13 | 10 | 21 | 5,269 18 |
| 10th | 1323 | 35 | 8 | ... | .... | 19 | .... | 16 | 2,453 76 |
| 11th | 830 | 165 | 24 | ... | 9 | 3 | .... | 6 | 585 46 |
| 12th | 250 | .... | 6 | ... | .... | .... | 21 | 17 | 84 24 |
| 13th | 525 | 125 | 11 | 9 | 3 | 6 | 9 | 5 | 216 70 |
| 14th | 1534 | 154 | 33 | ... | 10 | 55 | 9 | 10 | 2,460 49 |
| 15th | 794 | 42 | 36 | ... | 3 | 75 | 2 | 9 | 1,286 00 |
| 16th | 469 | 36 | 60 | 1 | 1 | 47 | 3 | 20 | 463 11 |
| 17th | 96 | 115 | 23 | ... | 2 | 13 | 6 | 12 | 1,082 81 |
| 18th | 673 | 130 | 56 | 3 | 2 | 16 | 11 | 16 | 664 42 |
| 19th | 453 | 106 | 42 | 1 | 1 | .... | 2 | 12 | 3,436 39 |
| 20th | 339 | 106 | 12 | 1 | .... | 3 | 19 | 6 | 2,056 99 |
| | 20,483 | 1391 | 617 | 74 | 59 | 711 | 111 | 252 | \$55,941 79 |

REPORT

Showing the whole number of places where spirituous liquors are sold in the several Patrol Districts, the number of places selling without license, and the number of places kept open on Sunday, on the thirty-first day of December, 1853.

| PATROL DISTRICTS. | Licensed. | Not Licensed. | Sunday. | Whole No. |
|-------------------|-----------|---------------|---------|-----------|
| First..... | 441 | ..... | 360 | 441 |
| Second..... | 163 | ..... | 64 | 163 |
| Third..... | 263 | 13 | 121 | 276 |
| Fourth..... | 513 | 30 | 540 | 543 |
| Fifth..... | 319 | 6 | 279 | 325 |
| Sixth..... | 523 | 19 | 460 | 542 |
| Seventh..... | 300 | 15 | 300 | 315 |
| Eighth..... | 327 | 5 | 250 | 332 |
| Ninth..... | 255 | 3 | 138 | 258 |
| Tenth..... | 262 | 2 | 200 | 264 |
| Eleventh..... | 430 | 35 | 400 | 465 |
| Twelfth..... | 108 | 10 | 100 | 118 |
| Thirteenth..... | 203 | 4 | 140 | 207 |
| Fourteenth..... | 358 | 31 | 370 | 389 |
| Fifteenth..... | 151 | ..... | 60 | 151 |
| Sixteenth..... | 232 | 51 | ..... | 283 |
| Seventeenth..... | 453 | 5 | 300 | 458 |
| Eighteenth..... | 567 | ..... | 300 | 567 |
| Nineteenth..... | 433 | 15 | 436 | 448 |
| Twentieth..... | 530 | ..... | 515 | 530 |
| | 6,831 | 244 | 5,333 | 7,075 |

STATE OF THE DEPARTMENT.

REPORT

Showing the number of days lost by sickness, and the number of days absent from service, without leave, in the several Patrol Districts, from July 1st to December 31st, 1853, both inclusive; and also the number of days for which pay was allowed.

| DISTRICTS. | Lost by Sickness. | Paid. | Without Leave. | Paid. | Total Force. |
|------------------|---------------------|-------------------|------------------|------------------|--------------|
| First..... | 248 | 122 $\frac{1}{2}$ | 20 | 5 $\frac{1}{2}$ | 63 |
| Second..... | 81 $\frac{1}{2}$ | 48 $\frac{1}{2}$ | 33 | 21 $\frac{1}{2}$ | 42 |
| Third..... | 343 | 27 $\frac{1}{2}$ | 9 | 2 | 51 |
| Fourth..... | 270 | 197 $\frac{1}{2}$ | 8 | 4 | 57 |
| Fifth..... | 1,094 | 933 | 16 | 11 $\frac{1}{2}$ | 57 |
| Sixth..... | 232 $\frac{1}{2}$ | 175 $\frac{1}{2}$ | 49 | 6 | 55 |
| Seventh..... | 612 | 472 $\frac{1}{2}$ | 15 | 1 | 65 |
| Eighth..... | 210 $\frac{3}{4}$ | 175 | 39 | 10 | 58 |
| Ninth..... | 282 | 218 $\frac{1}{2}$ | 37 | 26 | 52 |
| Tenth..... | 230 | 175 | 29 $\frac{1}{2}$ | 20 $\frac{1}{2}$ | 50 |
| Eleventh..... | 451 $\frac{1}{2}$ | 415 $\frac{1}{2}$ | 19 $\frac{1}{2}$ | 8 | 50 |
| Twelfth..... | 62 | 48 $\frac{1}{2}$ | 3 $\frac{1}{2}$ | 3 | 34 |
| Thirteenth..... | 178 $\frac{1}{2}$ | 135 $\frac{1}{2}$ | 20 | 9 $\frac{1}{2}$ | 50 |
| Fourteenth..... | 308 | 213 | 37 | 8 $\frac{1}{2}$ | 52 |
| Fifteenth..... | 210 | 184 $\frac{1}{2}$ | 4 | 2 $\frac{1}{2}$ | 46 |
| Sixteenth..... | 377 $\frac{1}{2}$ | 214 | 25 | 19 | 55 |
| Seventeenth..... | 206 | 170 $\frac{1}{2}$ | 26 $\frac{1}{2}$ | 17 | 55 |
| Eighteenth..... | 249 $\frac{1}{2}$ | 173 | 44 | 30 | 48 |
| Nineteenth..... | 380 $\frac{1}{2}$ | 312 | 57 | 5 $\frac{1}{2}$ | 46 |
| Twentieth..... | 279 $\frac{1}{2}$ | 197 | 20 | 11 | 58 |
| Total..... | 6,306 $\frac{1}{2}$ | 4,854 | 512 | 222 | 1,044 |

Averaging a loss to the Department of the services of thirty-four and one quarter men per day. For the six months, ending June 30th, 1853, the average was thirty-four and three-quarters men per day.

VACANCIES ON THE 1ST DAY OF JANUARY, 1854.

| | |
|-----------------------------------|-----------|
| In the First Patrol District..... | 2 |
| “ Second “ | 1 |
| “ Third “ | 2 |
| “ Fourth “ | 1 |
| “ Fifth “ | 1 |
| “ Sixth “ | 1 |
| “ Ninth “ | 1 |
| “ Tenth “ | 1 |
| “ Thirteenth “ | 2 |
| “ Fourteenth “ | 2 |
| “ Fifteenth “ | 2 |
| “ Seventeenth “ | 2 |
| “ Nineteenth “ | 1 |
| “ Twentieth “ | 1 |
| Total..... | <u>20</u> |

EFFECTIVE FORCE ON THE 1ST DAY OF JANUARY, 1854.

| | |
|-------------------|------------|
| Captains..... | 19 |
| Lieutenants | 40 |
| Sergeants..... | 77 |
| Policemen..... | <u>842</u> |
| Total..... | 978 |

STATEMENT

Showing the number of policemen detailed for special duty on the first day of January, 1853, to wit:

| | |
|--|-----|
| At Court of Sessions..... | 10 |
| “ Superior Court..... | 1 |
| “ Steamboat landings..... | 3 |
| “ Markets..... | 3 |
| “ Ferries..... | 5 |
| “ Railroad Depots..... | 3 |
| “ Office of Governors of Alms House..... | 1 |
| “ Office of Commissioners of Emigration..... | 1 |
| “ Chief’s Office..... | 15 |
| As Reserve corps..... | 68 |
| “ Dock Masters..... | 8 |
| “ Physicians..... | 3 |
| In Parks and Places..... | 6 |
| Total..... | 127 |

COMPLAINTS.

From the first day of July to the thirty-first day of December, 1853, inclusive, one hundred and forty-three complaints were preferred against members of the Police Department, which were disposed of as follows, to wit:

| | |
|---|-----|
| Dismissed from office..... | 15 |
| Resigned, after complaint was made..... | 21 |
| Complaints dismissed..... | 54 |
| Suspended from pay..... | 53 |
| Total..... | 143 |

Whole number of days for which policemen were suspended from pay.....320

Averaging a suspension of six and two fifty-thirds days for each man suspended.

Amount of salary deducted from policemen in cases of suspension\$540 16

Amount of salary deducted from policemen in cases of absence with leave.....\$1,547 93



DOCUMENT NO. 18.

BOARD OF ALDERMEN.

FEBRUARY 9, 1854.

The following communication from the Comptroller, in reply to resolution relating to cleaning streets, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York, February 1, 1854. }

To the Board of Aldermen :

The Comptroller, in obedience to the following resolution, viz :

"*Resolved*, That the Comptroller be directed to inform this Board, what amount of money he has already paid on account of the contracts for cleaning streets, made by the Commissioner of Streets and Lamps, with sundry persons, in the month of November; and whether the said Commissioner of Streets and Lamps, or the Superintendent of Streets, have certified that said contractors have complied with the conditions of their several contracts; and further,

if said contractors have failed to perform the full service required of them by the specifications of their contracts, by what authority have they been allowed to be paid from the city treasury, as though they had faithfully performed their engagements.

Adopted January 18, 1854."

Respectfully submits the following

REPORT :

The amount of money paid on the four contracts for cleaning streets, from the 22d of November, 1853, to the 18th of January, 1854, inclusive, is fifteen thousand seven hundred and thirteen dollars and sixty-one cents; this is eight hundred and fifty-nine dollars and sixty cents less than the total amount of the requisitions of the Commissioner of Streets and Lamps to that date.

The accounts, in all cases, have been sworn to by the contractors, and paid on the requisition of the Commissioner of Streets and Lamps, as provided by the 291st section of the Ordinance of 1849. The name of the Superintendent of Streets is written across the face of some of the accounts; but whether all of them have been "examined, audited and certified" to the Commissioner of Streets and Lamps, as required, by the 317th section, before that officer made his requisitions on the treasury, can only be ascertained by a call on him—as, by the 291st section, all vouchers and *certificates* are to be kept and filed in the office of the Commissioner of Streets and Lamps.

The resolution closes by calling on the Comptroller, to answer, in the following terms: "And further, if the said

contractors have failed to perform the full service required of them by the specifications of their contracts, by what authority have they been allowed to be paid from the city treasury, as though they had faithfully performed their engagements?"

This resolution assumes that the contractors have failed to perform the service required of them; also, that the Comptroller has paid them for services which they have thus neglected, and asks why he has paid them for what they have not done, as if they had performed their engagements.

The contractors having, in every case, presented an account, verified by their oaths, and accompanied by such a requisition for the sum claimed in each case, as is required by the Ordinance of 1849, duly signed by the Commissioner of Streets and Lamps, the Comptroller had all the authority which the ordinance prescribes to warrant his making a draft on the treasury, if there had been an appropriation. On every principle of official accountability, he had a right to assume that the requisition of the Commissioner of Streets and Lamps was evidence that the contractors had done their duty according to the terms of the contracts, supported also by the oath of the contractor in each case. It is true that, before making these requisitions for the first payment, the Commissioner of Streets and Lamps called on the Comptroller, with his four inspectors, and they, or some of them, complained of neglect on the part of the contractors, or some of them. The Comptroller advised that all these complaints should be put in the form of affidavits, and presented to the Commissioner; that he should then call on the contractors, to

explain why they had neglected their duty—and, on weighing the testimony on both sides, if he made his requisition on the treasury, the Comptroller would make the matter satisfactory to the contractors, even if the appropriation was delayed. This was preceding the requisition of the 10th of December. A few days after the conversation referred to, the requisitions were presented to the Comptroller.

The first amount presented was that of John Lynch, contractor for the fourth district, for the sum of one thousand one hundred and fifty-three dollars and eighty-four cents. For this sum, a warrant was drawn on the treasury, and the amount was paid out of the extra appropriation of forty thousand dollars, made on the 19th day of November; and it is the only sum paid to the street contractors out of that appropriation.

Copies of the account of Mr. Lynch, and of his oath, and of the requisition of the Commissioner, are annexed, and marked No. 1. It will be seen that this requisition is "drawn against the appropriation for cleaning streets per contract."

Similar accounts to that of Mr. Lynch, accompanied by requisition, were presented between the 10th and 17th of December, by the other contractors, to the amount of four thousand five hundred and seventy-three dollars and twelve cents. After deducting the payment to Lynch, there remained of the appropriation of forty thousand dollars, only the sum of one thousand eight hundred and seventy-four dollars and sixteen cents.

Instead of giving the other three contractors a warrant

on the treasury, the Comptroller gave them a written memorandum, saying in substance that the requisition of the Commissioner would be paid by a warrant on the treasury, as soon as there was an appropriation for the purpose. Similar certificates had been given to a contractor for making wall on the Second avenue, some months previous; also to other contractors, and many individuals who had been appointed to office, and who could not be paid, for want of an appropriation. These exceeded eighty thousand dollars, besides the accounts of the street contractors. It was merely auditing the accounts which were actually due, and saying that they constituted a valid claim on the treasury, and would be paid as soon as the appropriation bill, which the Comptroller had a right to suppose would be acted on in December, was passed. And finding that the appropriation of forty thousand dollars was nearly exhausted, and that large claims were still to be paid under the former mode of cleaning the streets—the Comptroller, on the 10th of December—the day on which the accounts of the contractors were presented, addressed a letter to the Commissioner of Streets and Lamps, a copy of which is annexed, marked No. 2.

Mr. Arcularius did not answer this letter of the 10th of December; if he had done so, the Comptroller would have made a report to the late Common Council, for such sum as was necessary to pay up the arrearages to those who had been employed by the Street Inspector, and also to pay the contractors from the 22d of November to the 31st of December. The seventh section of the charter of 1849, provides that "*all appropriations shall be based upon specific*

and detailed statements, in writing, of the several Heads of the Departments, through the Comptroller."

In addition to the necessity of this statement from the Commissioner, it was indispensable that the Comptroller should be able to inform the Common Council of the cause of the deficiency, so that he might be enabled to assign the true cause, as required by the one hundred and first section of the ordinance of 1849. The Comptroller was wholly unable to account for this second deficiency, and called on those who had made the expenditures, to explain the necessity for so great an increase, and the cause of a deficiency of at least twenty thousand dollars, in an estimate for cleaning the streets for seventy-five days, when the cost of forty of these days was fixed by contract, when the estimate was made.

Persons having claims for payment of arrears, have been made to believe that the Comptroller had used a large portion of the appropriation of forty thousand dollars to pay the contractors, and that they were thus deprived of their pay. And the author of the resolution, to which this report is an answer, was informed that the Comptroller had applied to the payment of contractors nineteen thousand dollars of the forty thousand dollar appropriation.

The preceding statement shows that the contractors have drawn only a little more than one-fortieth part of the appropriation.

It should be considered, also, that the appropriation of forty thousand dollars was made for the contractors, as well as for others employed in cleaning the streets. The

estimate of Mr. Arcularius was made on the 15th of October ; and in his communication he says : " Under the circumstances, by and with the concurrence of the Superintendent of Streets, I believe that forty thousand dollars will be necessary to carry us through the year, that is to say, *to the 1st of January next.*" Now, for forty days of this time, the streets were in the hands of the contractors, and the Commissioner ought to have made his estimate so as to reserve from it ten or twelve thousand dollars for the contractors ; instead of which, although the bids were opened on the 17th of September, and the awards made on the 25th of October, and the contractors put in possession of the streets on the 22d of November, leaving them to do the work from that date to the 31st of December ; and yet he drew into his own hands, up to and including the 10th of December, thirty-six thousand nine hundred and seventy-two dollars out of the appropriation of forty thousand dollars ; and on the 31st of October he had drawn the sum of four thousand one hundred and fourteen dollars and fifteen cents, being the entire balance of the original annual appropriation for the year ; thus having drawn into his own hands the sum of forty-one thousand and eighty-six dollars and fifteen cents, in the course of forty days, for the single item of cleaning streets ; and leaving the contractors, whom he had kept along in doubt and uncertainty from the 17th of September to the 22d of November, and then put them in possession of the streets on twenty-four hours notice, with the appropriation not only exhausted, but giving the Comptroller to understand that some six thousand dollars more would be required to pay off arrearages, and which proved to be ten thousand nine hundred dollars when the accounts came in.

The Commissioner of Streets and Lamps and the Superintendents of the two Bureaux of Cleaning Streets, and of Lamps and Gas, are strongly impressed with a conviction that the service performed in these bureaux, in both of which there has been expended, during the last year, about six hundred thousand dollars, cannot be done by contract. This state of things is unfavorable to a successful trial of the contract system of doing the work, as required by the charter of 1853. In the expenditure of the moneys called "trust funds," derived from assessments on property, the Street Commissioner, under the ordinance of 1849, § 158, has uniformly made contracts as therein required, for "opening, regulating and paving streets; building and repairing wharves and piers; digging and building wells, and constructing public roads, and improving the public lands or places, filling up sunken lots," &c. And the Croton Aqueduct Department construct all the sewers by contract, under the 15th section, chapter 383, of the laws of 1849.

If all this difficult work can be done by contract, is it not practicable to clean and pave the streets and light the lamps by contract? If John Pettigrew and John B. Morrell have not the skill in hiring men and carts to clean the streets, which is possessed by the officers of the department, they have the pecuniary ability to fulfill their contract, and can do it, for one year at least, provided the city authorities will enforce the ordinance, give the contractors free access to their dumping boards, and not cast on them greater labor than that which is "nominated in the bond."

Censures and denunciations on the public agents of the city is a tax on official elevation, which they should sub-

mit to with becoming meekness. If the inhabitants, who are taxed three hundred thousand dollars annually for cleaning streets, and have them foul and dirty, they have an undoubted right to complain. If the contractors, who have engaged to clean the streets, give them streets as dirty as they were before, at sixty per cent. less, they, notwithstanding, have good ground for complaint, and are entitled to redress, in addition to the sixty per cent.

There are, however, certain duties to be attended to by every housekeeper in the city, every policeman, and every officer who has a duty to perform in enforcing the ordinances, which ought not to be lost sight of in the general settlement of accounts between those who are heavily drawn on for cleaning the streets, and those who are the recipients of the money.

In order to have clean streets and to lighten the cost, it is essential,

1. That every housekeeper in the city should give particular directions to those having charge of the matter, not to cast the coal ashes into the gutter, which renders the manure valueless, but to place them in a vessel on the walk. The ordinance of the 2d of May, 1849, extends to offal, vegetables, garbage, and filth and rubbish of every kind. The penalty is from one to ten dollars; and it is made the duty of policemen to enforce the observance of the ordinance.

2. That if the cellar is cleaned out, or the yard, that the dirt is removed at the expense of the householder, and not thrown in the streets, as an illegal burden on those who clean them.

3. That the owner of tenement houses provide suitable boxes to hold the ashes, for the obvious reason that the numerous tenants will not, and probably cannot, provide suitable boxes for each room or tenement. This, if not required by the ordinances, ought to be voluntarily done.

4. Those who are permitted to occupy a portion of the street in rebuilding on their lots, (a necessary evil) ought to be particularly careful to have all the rubbish cleaned away, as they are bound to do by law and as good citizens, and not cast this load on those who perhaps have a hard job in cleaning the streets, and ought not to be burdened by a violation of the ordinance on the part of the owner of the lot.

5. The same duty is imposed on those who have permits for making vaults under a part of the street, although they pay the Corporation fifteen cents a superficial foot for the space occupied. They are still bound to remove the rubbish, and should not leave it as a burden on the contractor, not contemplated in his agreement.

The above suggestions are most respectfully submitted to the careful consideration of every householder in the city. If the household duties are not enforced; if the family government is not maintained in regard to the duties prescribed in the ordinances, it is almost in vain, even with a thousand policemen, to enforce them. The family government is the essential element in a well ordered community; it is, in truth, the basis of good government, and particularly of a municipal government, which has always been regarded, and properly so, a parental government.

There are certain special duties which appertain to some of the official agents of the city, and which, in justice to the contractors, should be promptly performed.

By the contract, the city engages to furnish dumping-boards and pier accommodations for the removal of the ashes, rubbish, &c.

The contractors complain of having been obstructed in the operations of removing manure, rubbish, &c., for want of free access to their dumping-boards. If these complaints were well founded, the contractors are entitled to relief, under the following section of an ordinance of May 8, 1839, relating to "vessels, wharves and slips," which is as follows: "§ 5. The Superintendent of Streets of the city of New York shall, and may, order any vessel, steamboat or small craft to remove from the berths assigned and reserved for the manure boats in the public slips; and any person who has the charge of any vessel, steamboat or small craft, who shall neglect or refuse to obey the order of said Superintendent in the premises, shall forfeit and pay for every such offence the sum of fifty dollars." (P. 334, ord. 1845.)

Notwithstanding this provision, the contractor of the first district has been embarrassed in his operations, and on one occasion when he complained, the Comptroller called on the Mayor and Chief of Police to use their authority to give him access to his piers. There have been no complaints from that district since. The contractor of the Fourth District complains that, although the pier and dumping-board at the foot of Sixteenth street was guaranteed to him in his contract, the Superintendent has

rendered him no aid in getting possession of it. This pier belongs to Mr. Lowber; and when the situation of the city in regard to it was explained to him, he said at once he had no objection that the city should have the use of it; and, during the last week, the Comptroller made arrangements to rent the premises precisely as they were promised to the contractor, and on Saturday gave Mr. Lynch an order to take possession of the office and premises rented. All these matters should have been arranged by the Department for Cleaning Streets, except leasing the premises at the foot of Sixteenth street. And the Comptroller interposed to remove the complaints of the contractors.

In order to hold the contractors to a strict performance of their contracts, it is essential that the official agents of the city should do their duty in enforcing the ordinances and in giving the contractors the protection which is guaranteed to them. The householders should also do their duty, and whilst they rightfully insist on clean streets, they should not, by illegally throwing their ashes and garbage in the gutter, prevent the streets from being kept in a wholesome condition. There is no inherent difficulty in cleaning the streets, lighting the lamps or doing any other work by contract, provided all the parties interested in the matter will discharge their duties like good citizens, faithful officers, and energetic contractors.

The last payments made to contractors were on requisitions of the Commissioner of Streets and Lamps, dated January 18th, 1854. The resolution suspending further payments, passed in the evening of the same day.

On Saturday last requisitions from the Commissioner, dated on the 2d instant, were presented as follows : viz.—

| | |
|---|------------|
| John Pettigrew, District No. 2, | \$1,250 00 |
| Barnard Kelly, " No. 3, | 1,269 23 |
| John B. Morrell, " No. 1, | 1,250 00 |
| John Lynch, " No. 4, | 1,153 85 |

The Comptroller refused to draw warrants on these requisitions, or either of them, on account of the resolution of the Common Council.

A. C. FLAGG, *Comptroller*.

(No. 1.)

Copy of Bill.

*Corporation City of New York,**To JOHN LYNCH, Dr.*

To cleaning the streets of the Fourth Contract
 District, for two weeks, commencing Tues-
 day, November 22d, ending Tuesday, Decem-
 ber 6th, as per contract,..... \$1,153- 84

Copy of Requisition.

No. 85.

DEPARTMENT OF STREETS AND LAMPS, }
 NEW YORK, December 10th, 1853. }

The Commissioner of Streets and Lamps, hereby ap-
 plies to the Comptroller of the city of New York, for
 eleven hundred and fifty three dollars and eighty-four
 cents, on account of disbursements for cleaning streets
 per contract, in pursuance of article 1, chapter 2, section
 291, of the Revised Ordinances.

The above requisition is drawn against the appropria-
 tion made for cleaning streets, per contract, under ordi-
 nance, as passed by Common Council.

\$1,153 84.

Cleaning streets, per contract.

HENRY ARCULARIUS,
Commissioner of Streets and Lamps.

Copy of Affidavit.

CITY AND COUNTY OF NEW YORK, ss.

On this, the sixth day of December, A. D. 1853, before
 me came John Lynch, contractor for Fourth street Con-

tract District, being the 16th, 18th, 20th, 21st and 22d Wards, who being by me duly sworn, deposed and said, that the above bill, against the Corporation of the city and county of New York, amounting to eleven hundred and fifty three dollars and eighty four cents, is in every respect just and true, and for labor actually performed in such contract district.

JOHN LYNCH.

Signed and sworn to before me, this }
sixth day of December, A. D. 1853. }

SAMUEL F. WEBSTER,

Commissioner of Deeds.

(No. 2.)

FINANCE DEPARTMENT; COMPTROLLER'S OFFICE, }
Dec. 10, 1853. }

H. ARCULARIUS, jr.

DEAR SIR :—On the 8th of October, in a note from this Department, you was requested to furnish a statement of 'the sum required for cleaning streets until the close of December.'

In your reply, dated October 15, after referring to the causes of the deficiency in the appropriation for 1853, you say, "under the circumstances, by and with the concurrence of the Superintendent of Streets, I believe that forty thousand dollars will be necessary, to carry us through the year, that is to say, to the first of January next."

This statement was communicated to the Common Council on the 24th of October, and on the 19th of November, an ordinance was passed appropriating the full sum asked for in your communication of the 15th of October.

The following payments have been made to you out of the appropriation of forty thousand dollars, viz. :

| | | |
|----------|------------------------------------|--------------------|
| Nov. 22, | warrant to H. Arcularius, Jr., for | |
| | sundry bills, | \$ 554 37 |
| Nov. 22, | do. ash and garbage carts,.... | 6,744 12 |
| " 23, | do. sweepers and cartmen,.... | 9,806 70 |
| Dec. 3, | do. do. | 4,984 59 |
| " 5, | do. ash and rubbish carts, | 7,757 29 |
| " 10, | do. do. | 7,125 78 |
| | | <u>\$36,972 85</u> |

40,000 00

36,972 00

Leaving a balance at this date of only, \$3,028 00

This falls considerably short of the bills rendered by the Street Inspector for September, October, and November. It will therefore be necessary to have an additional appropriation for the full discharge of these expenses, as well as for the pay of the contractors for cleaning the streets of the four districts.

I desire, therefore, that you will furnish the statement required by the charter, of the amount necessary to pay all expenses for cleaning the streets until the close of December. I notice that the claims presented by the Superintendent of Streets for the four weeks ending October 22, exceeds the sum of nineteen thousand dollars, and I desire to learn from you the cause of this increase, and the cause of the deficiency in the appropriation of forty thousand dollars, so recently made.

Respectfully yours,

A. C. FLAGG.

DOCUMENT No. 19.

BOARD OF ALDERMEN,

FEBRUARY 6th, 1854.

The following communication from the Comptroller, in reply to a resolution relating to value of city railroads, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

FINANCE DEPARTMENT, CITY OF NEW YORK, }
January 16, 1854. }

To the Board of Aldermen :

The Comptroller, in obedience to the following resolution, of the 12th instant, viz :

“ *Resolved*, That the Comptroller cause to be ascertained, and report to this Board, the actual value of the Sixth and Eighth Avenue Railroads, and all other city railroads, including depots, cars, horses, fixtures ; also the expense of running the same, with a view of reducing the fare to three cents,” respectfully

REPORTS :

In part, as follows :—Previous to the adoption of the foregoing resolution of the Board of Aldermen, the Comp-

troller addressed a letter to the officers of the Sixth and Eighth Avenue Railroads, requesting a report of the cost of the roads, respectively, according to the terms of the agreement between the Roads and the Corporation. This letter is dated December 26, and is annexed, marked No. 1.

On receiving the resolution of the Board, copies of it, with another note from the Comptroller, were sent to the officers of each of the roads referred to ; and on the 17th instant, to the Second and Third Avenue Railroads. The report received from the Eighth Avenue Railroad, a copy of which is annexed, and marked No. 2, it will be seen, is, a response to the Comptroller's request of December 26. The statement of the Sixth Avenue Railroad, a copy of which is appended, marked No. 3, is a response to the resolution, which was sent with the second note of the Comptroller.

The cost for construction, of the Eighth Avenue Railroad, 9 $\frac{1}{2}$ miles, as shown in statement No. 2, averages \$31,586 05 per mile, equal to a total of.....\$297,540 62
The cost of construction of the Sixth Avenue

Railroad, as shown in statement No. 3, is. 514,020 16
And including real estate and equipments.... 765,000 44

It appears also, that this road has carried five millions five hundred and sixty-one thousand four hundred and seventy-nine passengers, and realized therefor the sum of \$264,832 36 ; having carried two hundred and sixty-four thousand eight hundred and thirty-two free passengers.

The expenses attending this amount of business, is given at \$188,837 21.

The Comptroller's call of the 26th December, on the railroads, was necessarily confined to those roads, in regard to which, a provision was put into the grants requiring them to report to the Comptroller. This provision was omitted in the grants given to the Second and Third Avenue Railroads. Being now authorized by the resolution of the Board of Aldermen, to extend the call to the other roads, the Comptroller has done so, and the information obtained on this call will be furnished to the Board as soon as it is received. In the mean time, he has supposed that the information contained in this report would be acceptable to the Board, without waiting for the reports in regard to the Second and Third Avenue Roads.

The following report was intended to have been presented at the last meeting of the Board.

Since the preceding statement was prepared, and on the 28th of January, the annexed statement, marked No. 4, has been received from the Secretary of the Third Avenue Railroad Company.

It appears by this statement, that this road, after its construction from Broadway to Sixty-first street, was purchased from the original grantees, with the appurtenances, including depots, cars, horses, fixtures, leases, stage lines, licenses, omnibusses, sleighs, harness, &c., for the consideration of \$1,170,000, which is the total amount of the capital stock of said company.

From the 10th of October to the 9th of January, a period of three months, the receipts for passengers were \$74,648 73; and the expense of running the road

\$57,000 ; making the expense of carrying each passenger over three and three-quarter cents.

All which is respectfully submitted.

A. C. FLAGG, *Comptroller.*

February 6.—The return of the Second Avenue Railroad was received this afternoon, and the original report is appended, marked No. 5.

(No. 1.)

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
 NEW YORK, December, 26, 1853. }

The resolution of the Common Council, granting permission to certain persons to lay a double track of railroad in the Eighth avenue and other streets, passed July 30, 1852, provides that the associates "shall file with the Comptroller, a statement, under oath, of the cost of each mile of road completed."

The object of this communication is to request that this department may be furnished with the statement, required by the resolution referred to. I desire to have the statement before the first of January, 1854, if it is practicable to have it made up.

Respectfully your obedient servant.

A. C. FLAGG.

(No. 2.)

The Eighth Avenue Railroad Company return to the Comptroller of the city of New York, the cost of their railroad, so far as completed, made up to January 1st, 1854; (exclusive of cars, horses, stations, stables, &c.,) as follows, to wit :

Whole length of track laid, to the 1st January, instant,
 9, $\frac{42}{100}$ miles.

| | |
|------------------------|--------------|
| Amount..... | \$297,540 62 |
| Is, for each mile..... | 31,586 05 |

CITY AND COUNTY OF NEW YORK, ss.—David Palmer, Treasurer of the Eighth Avenue Railroad company, being sworn, says, that the foregoing statement is just and true, according to the best of his knowledge and belief.

D. PALMER,
Treasurer.

Sworn, this 14th day of }
January, 1854, before me, }

SPENCER KIRBY,
Commissioner of Deeds.

No. 3.

OFFICE OF THE SIXTH AVENUE RAILROAD COMPANY, }
New York, January 16, 1854. }

HON. A. C. FLAGG,
Comptroller:

SIR :—In reply to your note of the 13th instant, inclosing copy of resolution requiring you to ascertain and report “the actual value of this road, including depots, cars horses, fixtures; also the expense of running the same, with a view of reducing the fare to three cents,” I send you herewith a statement setting forth the cost on the 1st January, 1854; also the expense of running during the year 1853, and the average rate per passenger carried, as follows:

| | | |
|------------------------------|-----------|----|
| Expense of construction..... | \$514,020 | 16 |
| “ Real Estate..... | 152,734 | 01 |
| “ Equipment..... | 98,246 | 27 |
| | <hr/> | |
| | \$765,000 | 44 |

| | |
|--|-----------------|
| Carried passengers, paying..... | 5,296,647 |
| “ (partly estimated) free..... | 264,832 |
| | <hr/> 5,561,479 |
| For which was received the sum of..... | \$264,832 36 |

The expense attending this amount of business is as follows :

| | |
|---|--------------------|
| For working the road, (including an item of \$3,169 75 in suspense,) the sum of..... | \$174,110 03 |
| For expense, including salaries, stationery, &c. | 6,453 69 |
| For taxes paid into city treasury..... | 8,273 49 |
| Making a total of..... | <hr/> \$188,837 21 |

Being the cost of transporting 5,561,479 passengers during the year 1853. This is an average of $3\frac{3}{8}$ cents per passenger on the whole number, free and paying, or $3\frac{5}{8}$ cents per paying passenger.

Very respectfully,

D. P. BARHYDT,

E. O. E.

Treasurer.

Sworn to, before me this }
16th day of Jan. 1854. }

J. L. HALSEY,

Commissioner of Deeds.

No. 4.

OFFICE OF THE THIRD AVENUE RAILROAD COMPANY, }
No. 1 Ann street, New York, January 28th, 1854. }

HON. A. C. FLAGG,

Comptroller:

DEAR SIR :—Your letter, dated January 13th, was re-

ceived on the 18th instant, transmitting a copy of a resolution adopted by the Board of Aldermen, in the words following :

“ *Resolved*, That the Comptroller cause to be ascertained and report to this Board, the actual value of the Sixth and Eighth Avenue railroads, and all other city railroads, including depots, cars, horses, fixtures ; also the expense of running the same, with a view of reducing the fare to three cents.”

In reply, the Third Avenue Railroad Company respectfully states, that said company was incorporated on the 8th day of October, 1853, and purchased from the original grantees, and the assigns of such as had transferred their interests, the grant for the construction of the Third Avenue Railroad. The railroad then in operation from the junction of Broadway and Park row to Sixty-first street, with the appurtenances, “ including depots, cars, horses, fixtures,” leases, stage lines, licenses, omnibusses, sleighs, harness, &c., for the consideration of \$1,170,000, believed to be the actual value of said road and its appurtenances, and which is the total amount of the capital stock of said company. That from and including the day said company took possession of said road and its appurtenances, to wit: the tenth day of October last, until the ninth day of January, instant, being a period of three months, the receipts for carrying passengers on said road, were \$74,643 73, and the expense of running the same, as nearly as can be ascertained, \$57,000, making the expense of carrying each passenger over 3 $\frac{3}{4}$ cents.

By order of the Board of Directors,

OSCAR F. BENJAMIN,

Sec. of Third Av. R. R. C.

CITY AND COUNTY }
 OF NEW YORK, } ss: Oscar F. Benjamin, of said city
 and county, being duly sworn, says, that he is the Secre-
 tary of the Third Avenue Railroad Company, mentioned in
 the foregoing statement, and that to the best of his knowl-
 edge, information and belief, the foregoing statement is
 true.

OSCAR F. BENJAMIN.

Sworn to, before me, this }
 28th day of Jan. 1854. }

CHAS. FLOYD,

Commissioner of Deeds.

No. 5.

OFFICE OF THE SECOND AVENUE RAILROAD COMPANY, }
 Corner of Bowery and Walker street, }
 New York, Feb. 6, 1854. }

HON. A. C. FLAGG,

Comptroller of the city:

DEAR SIR:—I have the honor, in behalf of this company,
 to reply to your communication of the 13th ult., inclosing
 copy of a resolution, passed by the Board of Aldermen, on
 the 12th, of which the following is a copy.

“ *Resolved*, That the Comptroller cause to be ascertained,
 and report to this Board, the actual value of the Sixth and
 Eighth Avenue Railroads, and all other city railroads, in-
 cluding depots, cars, horses, fixtures; also the expense of
 running the same, with a view of reducing the fare to three
 cents.”

Our company have completed their road from Peek slip to Forty-second street, and have been running cars thereon since the 17th of October last; have paid for constructing and equipping the same, the sum of \$381,959 45, and the contractors for the completion of the road and its appurtenances to Harlem river, are progressing as fast as the state of the weather will permit. The Company have transported upward of 11,200 passengers, the receipts for which have amounted to \$56,261 47, and the expenses for the same to \$44,247 86, without allowance for deterioration or interest, by which it will be seen that this company cannot transport passengers on their road for less than the fare now charged, say five cents.

Yours, very respectfully,

PHILIP ROGERS,
Secretary.

Sworn to, before me, this }
6th of Feb. 1854. }

GEO. L. OSBORN,
Commissioner of Deeds.

DOCUMENT No. 20.

BOARD OF ALDERMEN.

FEBRUARY 13, 1854.

The following reports of the Committee on the Law Department, on resolution in relation to the meaning of section four, of the amended charter of 1853, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on the Law Department, to whom was referred the following resolution, viz :

Resolved, That it be referred to Committee on Laws, to examine the fourth section of the amended charter, and report to this Board, at its next meeting, whether any measure, involving the expenditure of money, can be acted upon by this Board, respectfully

REPORT :

It will be seen that the resolution, by its terms, directs this Committee to report, " whether under section four, of

the amended charter of 1853, any measure involving the expenditure of money, can be acted on by this Board."

The section referred to is in the following words :

"Every act, resolution or ordinance appropriating money, or involving the expenditure of money, not rendered imperative, under the provisions of any state law, shall originate in the Board of Councilmen; but the Board of Aldermen may propose or concur, with amendments, as in other cases."

It will be seen at once, that the Board *can act* upon any measure involving the expenditure of money, by proposing or concurring in amendments thereto, as in other cases. In fact, this is an answer to the inquiry, made by the resolution; but it is believed, that it was intended, that the Committee should report, whether any measure appropriating or involving the expenditure of money, under the fourth section referred to, *can originate in this Board*.

We shall therefore briefly proceed to the examination of this question.

The construction of this fourth section is somewhat peculiar; it provides, that every act, resolution or ordinance, appropriating money, or involving the expenditure of money, *not rendered IMPERATIVE* under the provisions of any *state law*, shall originate in the Board of Councilmen."

It will be perceived, that this clause contains both an affirmative and a negative, to wit: "Every measure, &c., *not rendered imperative*, under the provisions of any state law, *shall originate*," &c.

The negative part of the sentence qualifies the affirmative, and gives this Board full power to act upon and originate all measures which are "rendered imperative under any state law."

Two facts must therefore coexist before the power of this Board to *originate* such a measure can be acquired; first, to make the appropriation or expenditure it must be imperative; and second, it must be so, under the provisions of *some state law*.

The word imperative, as it is here used, signifies, the opposite of mere permission, or discretion; for example, a statute commencing in these words, "The Mayor, Aldermen," &c., "shall," &c., would be imperative.

And even if the statute used the words the "Mayor," &c., "shall, and may," &c., it would still be imperative, under certain circumstances, as will hereafter appear.

The words, "State Law," have several significations; but they are used in this section, in their most comprehensive sense, to wit, "*any state law*." By section twenty-six, of the amended charter of 1830, section twenty-eight of the charter of 1849, and section eighteen, of the amended charter of 1853, the legislature has expressly declared, that such parts of the charter as are not inconsistent with those acts, shall not be construed as repealed, but shall continue and remain in full force. The several charters of the city are therefore affirmed, and rendered state laws, within the meaning of the section.

The next inquiry is, what appropriations, or expenditures of money are imperative, under any state law.

Section eighteen, of the amended charter of 1830, is as follows :

“Annual and occasional appropriations shall be made by proper ordinances of the Common Council for every branch and object of city expenditure, nor shall any money be drawn from the city treasury, except the same shall have been previously appropriated to the purpose for which it was drawn.”

The provisions of this section are perfectly consistent with the charters of 1849 and 1853, and are therefore unrepealed and in full force.

It will be perceived, that it contains extended and very sweeping powers, covering very nearly, if not wholly, the entire exception contained in the fourth section of the act of 1853.

And further, that it is not only a state law, but is imperative, requiring that *annual and occasional appropriations* SHALL be made by proper ordinances for EVERY BRANCH AND OBJECT of city expenditures, &c.

We say it nearly, if not entirely, covers the exception in the fourth section. That section uses the words “*every act, resolution, or ordinance*,” whereas, the eighteenth section, under consideration, uses the words “*proper ordinances*” alone. If the words “proper acts, resolutions, or ordinances,” were used, it is believed that the entire exception in the fourth section would be covered.

Under this section, therefore, matters which involve the expenditure of money should be passed in the form of an

ordinance. But aside from this section a cursory examination of the various statutes which relate particularly to the city of New York, as they are scattered through the numerous volumes of our Session Laws, will show that a large portion of them are, in fact, imperative in their character, using the words, "It shall, and may be lawful," &c. It is an established rule of statutory construction, that the words "shall, and may," although permissive in their terms, yet are regarded as peremptory, whenever they are contained in statutes, the execution of which are matters of public concern.

In the case of "the Mayor, &c., of the city of New York against Furze," (3 Hill, p. 612,) it was held by Mr. Chief Justice Nelson, that the act to reduce the several laws, relating particularly to the city of New York, into one act, and in which it was provided that "it *shall* and *may* be lawful for the Mayor and Aldermen, &c., to cause certain acts to be done relative to sewers, drains," &c., was a statute of public concern, and related exclusively to the public welfare, and that the words "shall and may," although permissive merely in their terms, must be regarded as *peremptory* in the Corporation. The same doctrine is at length set forth in "Smith's Commentaries on Constitutional and Statutory Construction," pp. 724 to 730.

It will be perceived from these considerations, therefore, that the effect of this 4th section of the charter of 1853, is narrowed down to a small compass, and that the provisions of section 10, of the charter of 1830, providing that "any law, ordinance or resolution of the Common Council may originate in either Board," &c., still remains in force, with a slight modification.

Although few cases may arise not in fact covered by this saving clause, yet your Committee are of opinion, that in all cases of doubt, prudence would require that the measure should originate in the first instance in the Board of Councilmen.

ABRAM WAKEMAN,
Committee on the Law Department.

The undersigned, one of the Committee on the Law Department, to whom was referred a resolution to examine the fourth section of the amended charter of 1853, and to report to this Board, whether any measure, appropriating money or involving the expenditure of money can originate in the Board of Aldermen, respectfully

REPORTS :

That section eighteen of the amended charter of 1830 directs, in the most imperative terms, as follows :

“Annual and occasional appropriations shall be made by proper ordinances of the Common Council for every branch and object of the city expenditure ; nor shall any money be drawn from the city treasury, except the same shall have been previously appropriated to the purpose for which it was drawn.” And section ten of the same act says . “Any law, ordinance or resolution of the Common Council may originate in either Board,” &c.

This charter, which is a law of the state, requires, in express terms, that the Common Council *shall*, by ordinance, make annual and occasional appropriations for every branch and object of city expenditure.

The law is imperative upon the Common Council, and it is a violation of their duty to disregard it.

The ninth section of the amended charter of 1849, provides that, “the executive power of the Corporation shall be vested in the Mayor and the Heads of Departments.” And by section twenty-one of the same charter : “The

several executive departments, and the officers and clerks thereof, shall be subject to the legislative regulation and direction of the Common Council." And section twenty-three declares that "all contracts to be made or let by authority of the Common Council, for work to be done, or supplies to be furnished, shall be made by the appropriate Heads of Departments, under such regulations as shall be established by ordinances of the Common Council."

And section nineteen enacts that, "no expense shall be incurred by any of the departments or officers thereof, whether the object of expenditure shall have been ordered by the Common Council or not, unless an appropriation shall have been previously made concerning such expense.

It would seem that by a fair construction of those statutes, that no expenditure of money can be made without a previous appropriation therefor, and that it is made the imperative duty, by law, that the Common Council shall, every year, make by ordinance annual appropriations for every branch and object of the city expenditure.

And it is further the imperative duty of the Common Council, in addition to the annual appropriations, to make occasional appropriations for all city expenditures.

Such appropriations as above referred to, are all that are necessary for every object and necessity of the city. This gives the Common Council every means required to aid them in the discharge of all their duties, in carrying into operation every branch of the city government.

The tenth section of the charter of 1830, and there is

nothing in the charters of 1849 and of 1853, which in any manner restricts the full force and effect of that section, unless it is the fourth section of the charter of 1853, which I shall consider hereafter, authorizes in express terms, that any law, ordinance or resolution which includes ordinances to appropriate and expend money, may originate in either Board, and may be amended by the other.

We are now brought to consider the force and effect of the fourth section of the charter of 1853, which is in these words: "Every act, resolution or ordinance, appropriating money, or involving the expenditure of money, *not rendered imperative* under the provisions of *any state law*, shall originate in the Board of Councilmen; but the Board of Aldermen may propose or concur with amendments as in other cases."

The impression which is first made upon the mind by the mere reading of this section, would naturally lead one to suppose that few, if any, acts or ordinances, appropriating money, or involving the expenditure of money, can originate in the Board of Aldermen.

And this would be so undoubtedly, if it were not for the broad and significant exception contained in the same section.

These three charters must be all taken together as one act or law, except such parts as are inconsistent with any subsequent part. It is certainly evident, that the Legislature, when it enacted the fourth section of the charter of 1853, had reference to some law, the provisions of which were rendered imperative upon the Common Council to cause appropriations to be made, and the money expended.

Such laws are certainly requisite and necessary for the good government of the city, and the convenience of its citizens; otherwise improvements, however much required, might be entirely disregarded and neglected.

If the 18th section of the charter of 1830 is repealed by the 4th section of the charter of 1853, then where shall we find any law imposing an imperative duty of the Common Council directing the appropriation and expenditure of money for city purposes.

We may look in vain for any such law, for, in my opinion, none exists.

The acts of the Legislature, authorizing the Common Council to open and work streets, build sewers, &c., are not made imperative upon the Common Council. It is only when the Common Council shall deem such improvements necessary for the health and convenience of the city, that such improvements are to be made.

It has been held frequently by our courts, that the Common Council are the judges of the necessity and convenience of such improvements, and their action in such matters is the evidence that, in their opinion, the improvement is necessary, leaving, therefore, the action of the Common Council entirely within its own discretion. The making of such improvements, in all cases, require the taking of private property for public use, and compensation must necessarily be made therefor. This is an exercise of the right of *eminent domain*, and such right only exists in the sovereign power of the people. But inasmuch as this right has been conferred upon the Legislature

by the people, and the Legislature has authorized the Common Council to discharge such functions, it has been adjudged that the Corporation, in directing such improvements to be made, are acting as the mere agents of the state, and that such power does not emanate from, nor is it involved in the charter.

The 9th section of the charter of 1853, seems to contemplate the expediency of appropriating money to purposes other than city objects, and this is to be done by the Common Council, in the manner provided by the 9th and 4th sections of said charter.

The 9th section bears the construction that the Common Council shall be authorized to appropriate and expend money for celebrations, processions or entertainments of any kind, provided it is done pursuant to the provisions of the 4th section. The appropriating and expending money for any such purposes, as referred to in the 9th section, is a new provision of law. The exercise of such power, although unauthorized before 1853, had been practiced by the Common Council, and much abused, and the power of the courts had been invoked in order to put an end to the many and uncalled for and lavish expenditure of the city funds. Yet to stop all expenditures of such a nature was considered inexpedient.

The people were therefore called upon to originate and adopt some means that might put an end to the profligacy of a Common Council, desirous of wasting the city treasury in a manner unauthorized by law, and disgusting to our citizens.

And to authorize the Common Council, with a due

regard to the interests of the city to appropriate and expend money for celebrations, processions and entertainments, and to restrict all such measures within the provisions of the 4th section; and further to protect the city in such matters, a new branch of the Common Council was instituted to take the place of the Board of Assistant Aldermen, which said last Board was thereafter to be abolished.

This new branch was to be more numerous in numbers, and different in location, and thereby supposed less likely to be approached and corrupted.

These perhaps, and other reasons, actuated by good motives, induced the framers of the charter of 1853 to restrict all acts, resolutions or ordinances appropriating money, or involving the expenditure of money for any of the purposes authorized by the 9th section, to originate in the Board of Councilmen, leaving, however, a check in the hands of the Board of Aldermen to propose or concur with amendments, or to annul the measure by non-concurring therein.

I have looked at the meaning of this 4th section in every possible view, I could present it, in order to come to a proper and an impartial understanding of its force and meaning, for the purpose of presenting a true construction of the object for which it was enacted, and how far the Board of Aldermen are restricted by it.

From the consideration which I have given the subject, I have not only arrived at the same conclusions contained in the report of the Chairman of the Committee, but I have also come to the conclusion that the 4th section of the amended charter of 1853, does not in any manner, restrict the right of the Board of Aldermen to originate

measures appropriating money or involving the expenditure of money, except for such purposes as are provided for by the ninth (9th) section.

Any other conclusion destroys, in a great measure, the organization of our city government, by rendering totally useless one branch of the Common Council.

There are but few acts of the Common Council, connected with its business operations, but that require in some way the expenditure of money, and if all such acts are to originate in the Board of Councilmen, the Board of Aldermen can only act as a check upon the acts of the other branch of the Common Council, which might as well be performed by the Mayor, in the exercise of his veto power.

Not even a table or bench could be ordered by the Board of Aldermen, for its own convenience, until an application was made to the Board of Councilmen, and then it could only be obtained through their indulgence.

In the examination of this subject, I have endeavored to rid myself of every prejudice that might in any way operate upon my mind, in order to come to a satisfactory conclusion.

I have come to such a conclusion in my own mind, and fear not to hazard my opinion upon the result, yet still open to conviction whenever any argument may be presented on the other side of the question, which ought, in reason, change my present impressions.

Until then I shall adhere to and act upon the impressions which I have here expressed.

RICHARD MOTT,
One of Committee on Law Department.

MINORITY REPORT.

The subscriber, one of the Committee of the Board of Aldermen, on the Law Department, to whom was referred the following resolution, viz: "*Resolved*, That it be referred to the Committee on Laws, to examine the 4th section of the Amended Charter, and report to this Board, at its next meeting, whether any measure, involving the expenditure of money, can be acted upon by this Board," respectfully

REPORT :

The section referred to in the resolution, being section 4, of the Amended Charter of 1853, is as follows :

"Every act, resolution or ordinance, appropriating money, or involving the expenditure of money, not rendered imperative under the provisions of any state law, shall originate in the Board of Councilmen; but the Board of Aldermen may propose, or concur with amendments, as in other cases."

By the terms of this section, this Board may act on any measure involving expense, so far as to propose or concur with amendments; but the section expressly directs that all such measures shall originate with the Councilmen, unless they are rendered imperative by some state law.

It only remains to be determined what classes of money ordinances are rendered imperative by state laws, for such classes only can originate in this Board.

By imperative, is intended such measures as are not in the discretion of the Common Council, whether to pass them or not; as, for instance, if the state should direct a certain sum to be levied by tax, to pay some regular or occasional expense, the Common Council would not then be at liberty to refuse to pass the act, and such measure might, without violating this section, originate in this Board. But, on the other hand, an ordinance to appropriate money to erect buildings, to lay out parks, and, in general, to purchase materials and to hire services, would be measures purely discretionary, and all such must originate with the Councilmen.

Section 18, of the Amended Charter of 1830, enacts that annual and occasional appropriations shall be made by proper ordinances of the Common Council, for every branch and object of the city expenditure, &c.

It is claimed that this section is a state law, imperative on the Common Council, within the meaning of section 4, of the act of 1853, and consequently, that this Board may originate ordinances for every branch and object of the city expenditure.

Such, however, is not the opinion of the subscriber; to admit this section to be an imperative state law, would be virtually to repeal section 4, of the act of 1853. The two sections, with this construction, are inconsistent. Section 18, of the act of 1830, would therefore be repealed by the act of 1853, because the latter act affirms such portions only of the former act as are consistent with it.

We must then conclude, either that this section was not imperative, within the meaning of section 4, of the act of

1853, or, if it were imperative within such meaning, that it has been repealed by the act of 1853.

I cannot think it is imperative, within the meaning of the section referred to; because, although it reads that the city shall make appropriations for certain objects, yet it leaves the creation of those objects optional. Where a law enacts, that if one buys an article he shall pay for it, such law is not properly a law, imperative to pay for the article. And, for the same reason, the act of 1830, where it requires us to make appropriations to pay certain expenses, which one may, or may not create, is not a law imperative upon us to make such appropriations.

To give any other construction to these sections, would be to allow the very acts intended to be forbidden, and would have the effect of having an old law repeal a new one.

All which is respectfully submitted,

D. D. LORD,

One of the Committee on Laws.

Dated NEW YORK, February 12, 1854.

DOCUMENT No. 21.

BOARD OF ALDERMEN,

FEBRUARY 13, 1854.

The following report of the Committee on Cleaning Streets, in relation to cleaning the streets of the city, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Standing Committee on Cleaning Streets, present the following report on the resolution offered by the Alderman of the Nineteenth Ward, on the 9th of February instant, and referred to them.

The resolution is as follows :

" *Resolved*, That the communication received this evening from the Commissioner of Streets and Lamps, inclosing a notice from three of the contractors for cleaning streets, of a surrender of their contracts ; and also, Doc. No. 10, being a communication from the same officer, inclosing copies of the contracts for cleaning streets, be referred to the Committee on Cleaning Streets, with instructions to report, without delay, what measures are necessary and proper, on the part of the Common Coun-

cil, to secure a speedy, economical and thorough cleansing of the streets, avenues, lanes, piers and bulkheads, from the mass of mud, dirt, coal-ashes, garbage and other filth, that now incumber them, to the great annoyance of our citizens, and the deep disgrace of the municipal government of our city."

The Committee are aware of the importance of the matters referred to them, as affecting the credit of the Common Council with their fellow-citizens, and still more as affecting the health of the city.

They have, therefore, carefully investigated all the circumstances bearing upon the subject, and find the affairs of this Department of the city government to be in the following condition :

Three of the contractors, viz :

John B. Morrell, of the first district ; John Pettigrew, and Minor C. Story, assignees of Peter Shaw, of the second district, and Bernard Kelly of the third district, have refused to continue their work.

John Lynch of the fourth district, has not refused to proceed, but from all the testimony which the Committee have been able to obtain they are satisfied, and report, that he has not prosecuted his work with that energy which he was bound to employ. One portion of his district he has let, by sub-contract, to John Kelly. This portion is in comparative good order; and shows that there is but little excuse for the condition of the remainder, which, considering the greater practicability of cleaning it, is in a worse state than any other part of the city.

Your Committee, therefore, recommend that energetic measures be taken by the proper officer, to compel the performance of this contract by the contractor, or that the work be done at his expense, in accordance with his contract and specifications.

The other contractors whose districts include all the city, except the Sixteenth, Eighteenth, Nineteenth, Twentieth and Twenty-first and Twenty-second Wards, have appeared before the Committee, upon notice.

They assign as a ground for refusing to proceed, that a resolution passed the Common Council on the 23d and 24th January last, directing the Comptroller not to make any further payments, until otherwise ordered.

While they rest their claim to abandon upon this resolution they complain, that the city has violated its agreement in the following particulars, viz :

1. That great delay occurred in awarding the contracts and giving possession of the districts. Their proposals were opened on the 17th of September last, but their contracts were not awarded until the 21st of November. What was the cause of this delay of more than two months has not been explained to us. But the contractors allege, with some appearance of justice, that it acted upon them with great hardship, that their calculations were made on the condition of the streets in the middle of September, and on the opportunities which would then exist of getting their work forward before the setting in of frost; that they were delayed until so late, that they lost two-thirds of the working season; that when they did get on to their districts they found them filled with the dirt and

rubbish which had been accumulating for two months, and that with all this they had not more than three days previous notice to commence the work.

2. Another cause of complaint by the contractors is, that the Corporation has utterly failed in enforcing the ordinances against throwing ashes and garbage into the streets. Their complaint, under this head, is not so much of the greater difficulty of removing these substances from the street, as of the great loss of manure rendered unsaleable by their intermixture. The sale of manure in many of the districts is reasonably expected to produce a considerable income, it is unquestionably an important element in their calculations, and to be deprived of it is, certainly, a serious disappointment.

3. The remaining cause of complaint is, that the city has not assigned to them the berths or dumping places designated in the specifications, and has not given them sufficient places for depositing manure to dry, previous to its transportation.

This cause of complaint is not so great in the second district as in the others. The contractors for this district have, in a measure, been impeded by illegal obstructions, but their difficulty from this source has not been very serious. All the other contractors, including Mr. Lynch, of the fourth district, complain very much from this cause. They say that it was reasonably to be implied from their specifications, that they should not only have dumping boards to load their boats, but that they could get permission to deposit their wet manure where it might become freed from water and thus transportable for a cheap freight.

From the best consideration that the Committee have been able to give to these objections they have come to the conclusion, that none of them legally entitle the contractors to abandon their contracts. This point is not entirely free from difficulty ; but the Committee think, that if the contractors have rights against the city on any of these grounds, such rights must be enforced by suits for damages, but do not justify a refusal to prosecute the work contracted for.

Your Committee are further of opinion, that no very considerable damages can be legally established from any of the grievances complained of. No agreement is expressed in the contract, that the Corporation shall enforce the ordinances in relation to coal ashes and garbage, or that the contractors shall have places of deposit for manure.

The Committee would then report, that notwithstanding such refusal the contractors are still bound to perform the work ; and that, if it be deemed expedient, the work may be relet, and the loss on such reletting may be collected from them. The question of expediency will be considered presently.

The Committee would here state, that they have noticed at length the allegations of the contractors for several reasons. One was to afford some insight into the practical operation of the contract system, and to show that the contractors have labored under serious disadvantages ; that although these may not entitle them to any legal redress, yet they have very materially altered the basis of their calculations, and that their failure proves nothing against the practicability of the system, if judiciously and fairly established.

And your Committee would further report, that their investigations have convinced them that a private contractor can do the work cheaper and better than any official, however honest and energetic; because the latter is trammelled and incumbered by the limitations which must necessarily be set to his authority.

In considering the expediency of enforcing the present contracts, the Committee are satisfied that, although they may be enforced, yet it can be done only by constant litigation, in which a private individual will have many advantages against a corporation like the city. We are, therefore, of opinion, that it will be desirable, if practicable, as we believe it to be, to effect a settlement, on reasonable terms, with the contractors, and then to relet the work by new contracts, with somewhat different specifications.

Your Committee yield the more readily to this conclusion, because they are satisfied that, under the provisions of the contracts now in force, there is little or no room to expect that reform, in the condition of our streets, which is so anxiously desired by our citizens.

1. The existing contracts embrace districts unnecessarily large. Although, in many cases, a large contract can be done for less than a small one, yet, by sub-dividing the districts, as now constituted, into smaller districts, corresponding with the wards, we may combine the advantages of both plans. The district may then be easily superintended and managed by a single contractor. Such a sub-division will thus check the pernicious system of underletting; it will also bring out a larger number of competitors, and so tend to reduce the cost; while contractors;

possessed of the requisite means, may propose for, and, if entitled thereto, may obtain several districts.

2. The second section of the specifications in the present contracts, provides that

"The contractors shall severally, at their own expense, cause all the gutters, streets, wharves, piers, heads of slips, public lands and places, and the limits of the public markets within their respective districts, to be thoroughly and promptly cleaned and swept, and the dirt, manure, &c., collected in heaps, *at least twice in each week, when the same, from the state of the weather, shall be practicable.*

"And they shall also employ a sufficient number of cartmen to remove, and shall remove all ashes, garbage and offal, manure, dirt and rubbish of every kind, nature or description from all public lands and places, and from the streets, wharves and piers, within their respective districts forthwith, immediately after being collected; *and if the weather will not permit the dirt collected to be removed forthwith, then the same to be removed as soon as practicable.*"

It will be seen that, while the specification professes to call for the sweeping of the streets and removal of the dirt-heaps at least twice in each week, the contractor is left to decide for himself on what days the sweeping is to be done, and when the removal is to be made. He may, therefore, if he pleases, select the days of service irrespective of the public interest, and with a view exclusively to his own advantage. A still greater defect in the existing contracts is, that unless the state of the weather be such as to render the sweeping and removal *practicable*, it is entirely dispensed with. And, as the specification is framed, the

decision of this important question is left, in the first instance, to the contractor himself; and if he decides, as he may often be expected to do, in his own favor, on insufficient reasons, the only way of relief open to the citizen is by making complaint to the Commissioner of Streets and Lamps, whereupon the Superintendent of Streets gives notice to the contractor; but no person can remove the nuisance until twenty-four hours after the notice—a method so tardy and complicated that it will scarcely ever be resorted to.

Your Committee deem it indispensable that the contracts hereafter to be made, be reformed in these particulars. That the state of the weather in our climate is often such, at every season of the year, and sometimes for weeks in succession during the winter, as to render the sweeping of the streets, and the removal of street dirt, impracticable, is undeniable, and that the contracts should contain appropriate references to this state of things, is equally clear. But the decision of the question whether the service shall be performed or not, should not be left to the contractor in the first instance. The public have a deep interest in the matter, and the public authorities should decide when the dispensation is to be granted.

We would advise, then, that the new contracts be so drawn that the contractor shall be bound to work at certain times specified, except when he has a written dispensation from the Commissioner of Streets and Lamps, or from the Superintendent of Streets, or from the Alderman of the Ward. This will give him every requisite protection against unreasonable exactions. It cannot be supposed that when the weather is really such as to prevent

work, he will not be able to get such dispensation from some one of the officers named. And the officers may exercise a useful discretion in giving it, so that if one day be unfavorable they may, instead of entirely dispensing from the work, permit the contractor to postpone it until another, but no single dispensation should be given for longer than one week.

If the contractor neglect his work, power should be given not only to the Department and the Alderman, but also to the Councilman of the district, after a reasonable notice, to have the work done at the contractor's expense. This will secure fairness to the contractor, and also much greater efficiency to the system.

3. Under the existing contracts, some misunderstanding has very naturally arisen as to who should remove coal ashes, garbage, &c.; and also as to whether contractors should have places of deposit for manure.

It seems very desirable to make an alteration in this respect, by which the contractors shall be bound, expressly and unequivocally, to remove every sort of obstruction from the street, irrespective of the mode in which it gets there, and that they shall not be allowed any places of deposit, but shall carry off every thing at once, and as fast as it can be collected. This will cut off all pretence of misunderstanding, and secure parts of the city from the very offensive nuisance arising from the collection of large heaps of manure. Your Committee are satisfied for the foregoing reasons that the interests of the city will be greatly promoted by terminating the old contracts, and making new ones. We accordingly submit a resolution declaring the expediency of such arrangement, which is

annexed as schedule No. 1. We confine our recommendation to a simple resolution, because it may be doubtful whether this Board can originate the measures necessary to carry out the change proposed, but if the principle shall be adopted by the two Boards, it will then devolve upon the honorable Board of Councilmen to introduce the necessary ordinance.

We would suggest that sections nine and eleven of the old specifications be omitted in the new, because, although they are proper subjects for an ordinance, yet they do not really affect the rights of the contracting parties, and may cause misunderstandings between them.

We are convinced that it is most advantageous to the city that the Corporation shall procure the necessary dumping berths, giving one to the contractor for each ward, so that there may be no conflict or interference between different contractors.

We would recommend, also, the passage of an ordinance imposing a fine on the owners of property, for not removing ashes and garbage thrown into the streets, in front of their premises, after a reasonable notice to remove the same, and we have annexed, as schedule No. 2, a resolution referring it to the Committee on Ordinances to prepare such ordinance, if in their opinion, it be expedient.

All of which is respectfully submitted,

| | | |
|-------------|---|--------------------------------------|
| D. D. LORD, | } | Committee on Cleaning Streets. |
| T. CHRISTY, | | |
| W. BAIRD | | |

Dated, New York, Feb. 13th, 1854.

SCHEDULE No. 1.

Resolved, That, in the judgment of this Board, it is expedient to make an arrangement with the contractors for cleaning streets, who have abandoned their work, to terminate their contracts ; and thereupon to provide by ordinance for directing the Commissioner of Streets and Lamps, under the advice of Corporation Counsel, to prepare the form of a contract and specifications, and to advertise for proposals to do the said work, according to law and the ordinances of the Common Council.

And further, to take such measures as may be necessary to secure suitable dumping-boards, or berths for vessels to load, assigning one such place to the contractor for each ward.

SCHEDULE No. 2.

Resolved, That it be referred to the Committee on Ordinances to prepare an ordinance imposing a fine on the owners of real property for not removing coal ashes, garbage, or rubbish, thrown into the street in front of their premises, after reasonable notice to remove the same, if, in the opinion of the Committee, such ordinance shall be expedient.

APPENDIX.

Resolved, That the communication received this evening from the Commissioner of Streets and Lamps, inclosing a notice from three of the contractors for cleaning the streets, of a surrender of their contracts, and also Document No. 10, being a communication from the same officer, embracing copies of the contracts for cleaning streets, be referred to the Committee on Cleaning Streets, with instructions to report, without delay, what measures are necessary and proper, on the part of the Common Council, to secure a speedy, economical and thorough cleansing of the streets, avenues, lanes, piers and bulkheads, from the mass of mud, dirt, coal ashes, garbage, and other filth that now incumber them, to the great annoyance of our citizens, and the deep disgrace of the municipal government of our city.

OFFICE COMMISSIONER OF STREETS AND LAMPS, }
New York, February 6, 1854. }

To the Hon. the Board of Aldermen: •

GENTLEMEN :—I have this day been served with papers, purporting to be declinations or resignations of three of the contractors for cleaning streets, viz : John B. Morrell, of the first district ; John Pettigrew and Minor C. Story, (assignees of Peter Shaw,) of the second district ; Bernard Kelly, of the third district. I authorized the Superintendent of Streets, upon the receipt of these “resignations,” to, as soon as provisions were made to pay the laborers, to proceed and perform the duty the contractors

have abandoned. Prompt action in the premises, in making such provision, is necessary. It is not now in the power of this department to act in the premises without the consent of the legislative authority.

Inclosed will be found copies of their declination.

Respectfully submitted,

HENRY ARCULARIUS, JR.,
Commissioner of Streets and Lamps.

[DUPLICATE.]

To the Commissioner of Streets and Lamps:

Inasmuch as the Corporation of the city and county of New York, by its agents and as a body, have failed to comply with, and have omitted and neglected to perform their stipulations and agreements, and especially the agreement respecting payments, in their contract with one Peter Shaw, and assigned to us, the undersigned, executed November 21, 1853, for cleaning streets of the second district of the city and county of New York—known as the Fifth, Eighth, Ninth, Fourteenth and Fifteenth Wards thereof—and have fully violated the same, and have embarrassed and avoided the same to our great prejudice, inconvenience and pecuniary damage. You, as the agent of said Corporation, in the execution, on its behalf, of the said contract, are hereby notified that we, the assignees of the said Peter Shaw aforesaid, consider ourselves, as his assignees, absolved and freed from all liability upon and performance of and in said contract, from and after this date; and shall hold the said Corporation responsible for all the said prejudice, inconvenience and pecuniary dam-

age by us sustained in consequence of its said omissions and failures in and about said contracts aforesaid.

JOHN PETTIGREW.
MINOR C. STORY.

New York, February, 6, 1854.

[DUPLICATE.]

To the Mayor, Aldermen and Commonalty of the city of New York, through and to Henry Arcularius, Jr., Commissioner of Streets and Lamps.

Whereas, The Corporation of the city of New York, by its agents and by the annexed resolution, has rescinded and broken the contract made with the undersigned on the 21st day of November, 1853, in relation to cleaning streets in the third contract district; and whereas, the Corporation has violated and broken the provisions, terms and obligations contained in the advertisement and specifications agreed to in said contract; and whereas, the agents of the Corporation, by order of the Corporation, have refused to pay according to the terms of the contract, and have also broken other provisions of the contract.

Now, therefore, take notice, that the undersigned holds himself freed and absolved from the said contract, and all claims under it; and also holds the Corporation responsible for all damages.

BERNARD KELLY.

[COPY.] •

Resolved, That the Comptroller be, and he is hereby directed to pay out no more money on account of the contracts for cleaning streets, until otherwise ordered by the Common Council.

Adopted by the Board of Aldermen, January 23, 1854.

Adopted by the Board of Councilmen, January 24, 1854.

Approved by the Mayor, January 28, 1854.

We, the undersigned, unite in the said notice of Bernard Kelly, and hold ourselves freed and discharged from the bond or obligation, signed and executed by us on the 21st day of November, 1853, with the condition that the said Bernard Kelly should perform his contract aforesaid, are freed and discharged from all liabilities or claims under said bond, and as sureties for said Kelly, or otherwise.

JAMES J. WINANT,
LEWIS G. DOD.

•
[DUPLICATE.]

To the Mayor, Aldermen and Commonalty of the city of New York, and to Henry Arcularius, Jr., Commissioner of Streets and Lamps:

Whereas, The Corporation of the city of New York, by its agents and by the annexed resolution, has rescinded and broken the contract made with the undersigned on the 21st day of November, 1853, in relation to cleaning streets in the first contract district; and *whereas*, the Corporation has violated and broken the provisions, terms and obligations contained in the advertisement and specification

referred to in said contract ; and whereas, the agents of the Corporation, by order of the Corporation, have refused to pay according to the terms of the contract, and have also broken other provisions of the contract. Now, therefore, take notice, that the undersigned holds himself freed and absolved from the said contract, and all claims under it, and also holds the Corporation responsible for all damages.

JOHN B. MORRELL.

New York, Feb. 6, 1854.

[DUPLICATE.]

Resolved, That the Comptroller be, and he is hereby directed to pay out no more money on account of the contracts for cleaning streets, until otherwise ordered by the Common Council.

Adopted by the Board of Aldermen, January, 23, 1854.

Adopted by the Board of Councilmen, January 24, 1854.

Approved by the Mayor, January 28, 1854.

We, the undersigned, unite in the preceding notice of John B. Morrell, and hold ourselves free and discharged from the bond or obligation signed by us, and executed on the 21st day of November, 1853, with the condition that said John B. Morrell should perform the said contracts in the said notice mentioned, are freed and discharged from all liabilities or claims under said bond, and as sureties for said Morrell, or otherwise.

JAMES HUMES,

JAMES ROBINSON.

New York, Feb. 6, 1854.

DOCUMENT No. 22.

BOARD OF ALDERMEN,

FEBRUARY 20, 1854.

The following communication from D. D. Lord, Esq., Alderman of the Eighteenth Ward—being specifications for cleaning streets—was presented, laid on the table, and ordered to be printed.

D. T. VALENTINE, Clerk.

SPECIFICATION
for Cleaning Streets in the City of New York.

SECTION I.

Each ward of the city of New York, shall be a district to be contracted for.

SECTION II.

The contractors shall severally, at their own expense, cause all streets, lanes, and avenues, and all gutters, wharves, piers, heads of slips, public lands and places, and the limits of the public markets within their respective districts, to be thoroughly and properly cleaned and swept, and all the dirt, manure, ashes, garbage, rubbish, and sweepings of every kind which may be in the same, col-

lected in heaps, at least every Tuesday and Saturday in each week, except, that from the state of the weather on such day, the Commissioner of Streets and Lamps, or the Alderman of the ward, may, from time to time, in writing, substitute some other day in the week therefor, or dispense with the performance of such work, but the said officers shall not grant any one dispensation for a period longer than a week from the granting thereof.

And the said contractor shall employ a sufficient number of carts and cartmen, to remove all ashes, garbage and offal, manure, dirt, rubbish and sweepings of every kind, nature or description, from all streets, lanes, avenues and all gutters, wharves, piers, heads of slips, public lands and places, within their respective districts, forthwith, immediately after being collected.

SECTION III.

The said contractors shall, severally, at their own expense, cause all dirt, filth, and rubbish, of all and every kind, to be removed from each of the public markets, (and such other public markets, as may hereafter be erected,) and the limits thereof, within their respective districts, every Sunday before the hour of nine o'clock in the morning, and every other day, excepting Saturday, before four o'clock in the afternoon.

SECTION IV.

The said contractors shall provide a sufficient number of horses and carts, and men to act as cartmen, to collect and remove from the several streets of said city, all ashes, garbage, rubbish, sweepings of every kind and nature, which may be delivered to them, or may be placed in ves-

sels upon the side-walks, or in the area of, or upon the upper area step of any dwelling-house, store, or public building, within the limits of their respective contract districts; and the said carts and men shall each be assigned to separate districts, to be subject to the approval of this department, and shall be compelled to go entirely through each of the aforesaid districts, between the hours of seven A. M., and six P. M., of each and every day, Sundays excepted.

SECTION V.

The drivers of all carts, employed as ash-carts, shall give notice of their approach by ringing a hand-bell, and shall receive all ashes, garbage, sweepings, rubbish of every nature or description, which shall be delivered to such carts, or be placed upon the side-walks, in vessels in the area, or upon the upper cellar-step of every dwelling-house, public building or store.

SECTION VI.

The said contractors, whose contracts include the whole, or any part of any of the great thoroughfares, viz : Broadway, Bowery, Fourth avenue, as far north as street; Third avenue, as far north as street; Union square, Fifth, Sixth, Seventh and Eighth avenues, as far north as street, Chatham street, East Broadway; Grand street, from Broadway to the East river, Canal street and such other thoroughfares as may be directed or required by the Department of Streets and Lamps, with the concurrence of the Alderman of the ward; shall cause the same, and the several gutters thereof, together with the cross-walks of the streets intersecting the same, to be thoroughly swept and cleaned, and all dirt, manure, gar-

bage, ashes, rubbish and sweepings of every kind or nature to be removed therefrom, on Tuesday, Thursday and Saturday of each week throughout the year, such work to be completed before seven o'clock in the morning of each of said days, between the first of May and the first of October; and before eight o'clock in the morning of each of said days, between the first of October and the first of May.

Provided however, that when such performance is impracticable from the state of the weather, the Commissioner of Streets and Lamps or the Alderman of the ward, may, from time to time, in writing, designate a later hour, or substitute some other day for the performance of such work, or dispense with the same temporarily, but the said officers shall not grant any one dispensation for a period longer than one week from the granting thereof.

SECTION VII.

The said contractors shall also be required to remove snow, ice, and other obstructions from the cross-walks and gutters, in compliance with the ordinances of the Common Council, and shall also remove all snow, hail, and ice, from in front of all public buildings and places (public schools, engine-houses, station-houses, court-rooms, &c.) within twenty-four hours after such snow or hail has ceased falling; and in case of said snow, hail or ice being congealed so as not to permit to be removed, then to be sprinkled with sand, until it is practicable to remove.

And the contractors in the respective districts shall also be required to keep the streets in their districts passable for vehicles during the winter, and clear all gutters intersecting streets.

SECTION VIII.

The said contractors shall, at their own expense, carry off in a sufficient number of boats or vessels, all dirt, manure, garbage, ashes, filth, rubbish and sweepings of every kind or nature, as fast as the same can be collected; and no deposit of any such dirt, manure, garbage, ashes, filth, rubbish or sweepings of any kind or nature shall be made by any contractor or persons in his employ, except that such rubbish as is suitable and proper to fill up low ground or sunken lots may be used for such purpose, with the consent of the owner of such low ground or sunken lots.

The department will furnish the right to use the following berths to the contractors respectively, for the loading of their vessels, but the contractors must take upon themselves to secure their rights from unlawful infringement.

SECTION IX.

Every cart employed by a contractor shall be submitted to the Superintendent of Streets, for his approval, before the same is used on a district; and shall again be submitted to his approval every six months thereafter; and he shall cause to be painted thereon his approval, and the date of such approval; and no cart, not having such approval, shall be used or employed in a district.

SECTION X.

If any contractor shall fail or neglect to perform any duty which he is required to perform by this contract, for the space of twenty-four hours after he shall be notified so to do by notice in writing, left at his residence or usual

place of business, by the Superintendent of Streets or Alderman of the Ward, or Councilman of the District in which such failure or neglect occurs ; such Superintendent, Alderman or Councilman shall cause such duty to be performed, and the reasonable expense thereof shall be certified in writing to this department by the officer causing the work to be performed, whereupon this department shall cause such expense to be paid, and to be deducted from the next succeeding payment, otherwise due to the contractor, and such contractor shall lose the amount of such expense.

SECTION XI.

If any contractor shall refuse, or fail, or neglect to comply with the requirements of these specifications, or any part thereof, for six days, after being notified in writing, to perform the same or any part thereof, as aforesaid, by the Commissioner of Streets and Lamps, or the Superintendent of Streets, or the Alderman of the Ward, or Councilman of the District in which such neglect or failure occurs ; such notice to be served by leaving the same at his house or usual place of business ; then the said Commissioner of Streets and Lamps, with the concurrence of a majority of the Aldermen and all the Councilmen of the Ward, may thereafter, by writing, under the hand of such Commissioner, and majority concurring, declare such contract forfeited, and said contractor shall not be entitled to claim any moneys upon the said contract, after the time when the said notice was served upon him as aforesaid, nor shall he be thereafter entitled to any profits, benefits or advantages to be had or derived from such contract. And it shall thereafter be lawful for the Commissioner of Streets and Lamps to procure such work, contracted for,

to be done by other persons, pursuant to law and the ordinances of the Common Council. And the contractor refusing or failing to perform his said contract, shall be liable to pay to the Corporation of the city of New York, all such loss or damage as they may have sustained by reason of such refusal, neglect or failure.



DOCUMENT No. 23.

BOARD OF ALDERMEN,

FEBRUARY 23d, 1854.

The following report of the Finance Committee, in favor of an ordinance organizing the Auditing Bureau in the Finance Department, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

AN ORDINANCE

TO CARRY INTO EFFECT THE THIRTEENTH SECTION OF "AN ACT FURTHER TO AMEND THE CHARTER OF THE CITY OF NEW YORK," PASSED APRIL 12, 1853, CREATING A BUREAU IN THE DEPARTMENT OF FINANCE, TO BE CALLED THE "AUDITING BUREAU."

The Mayor, Aldermen and Commonalty of the city of New York, in Common Council convened, do ordain as follows :

SECTION 1.—That Article III, Title 3d of the ordinance of 1849, entitled "of the Bureau in the Department of Finance," be amended, by adding a chapter at the end of said title 3, to be called chapter 4, and to be entitled the Bureau of the Auditor of Accounts," as follows :

CHAPTER IV.

THE BUREAU OF THE AUDITOR OF ACCOUNTS.

§ 1. This bureau, the chief officer of which shall be called "Auditor of Accounts," is charged with the duty of revising, auditing and settling all accounts in which the city is concerned, as debtor or creditor; and he shall keep an account of each claim for or against the Corporation, and of the sums allowed upon each, and certify the same, with reasons therefor, to the Comptroller.

§ 2. He shall, once in ninety days, make out a list of the same, and his decision on each claim referred to in the preceding section, to accompany the report to the Common Council, which the Comptroller is required to make, with his final action thereon.

§ 3. He shall prepare warrants on the treasury, as provided by sections 129 and 130, amended by an ordinance approved by the Mayor, May 30, 1849; and, after obtaining the approval of the Comptroller to the audit of the claim, and his signature to the warrant, shall cause the same to be presented to the Mayor and clerk for their signatures respectively.

§ 4. There shall be two assistant auditors, who shall perform the duties prescribed by the 132d section, chapter 3, of the ordinance of 1849, in relation to the Finance Department, and such other services as may be required of them, as assistant to the auditor of accounts.

The Finance Committee have examined the ordinance hereto annexed, and respectfully

REPORT :

That the ordinance is for the organization of the Auditing Bureau, under the provisions of the amended charter of 1853, in the Finance Department, and recommend the adoption of the same.

| | | |
|-----------------|--------------------|-----------------|
| WM. CHAUNCEY, | } <i>Committee</i> | |
| THOMAS CHRISTY, | | <i>on</i> |
| ANSON HERRICK, | | <i>Finance.</i> |



DOCUMENT No. 24.

BOARD OF ALDERMEN,

FEBRUARY 23, 1854.

The following communication from the Comptroller, in relation to encroachments on the real estate at Catharine ferry, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
CITY OF NEW YORK, Feb. 21st, 1854. }

To the Common Council:

In examining into the condition of the piers and slips, for the purpose of leasing and deriving revenue from them, the Comptroller has been impressed with the great injustice which he conceives has been done to the city, by some of those who have obtained ferry grants. Maps have been prepared for the purpose of illustrating two of these cases, viz: the Catharine street ferry grant, and the lease of the Roosevelt street ferry. The main object of this communication is to call the attention of the Common Council to a succession of most extraordinary proceedings in regard to the Catharine street ferry.

The history of the Roosevelt street ferry, so far as is known, is brief. Under a grant of one hundred feet of bulkhead, the lessees use up, so far as the interests of the

city are concerned, nearly double that number of feet. The lessees pay, an annual rent of three thousand dollars, and absorb, and render, in a good degree, valueless, pier, slip, and bulkhead privileges, worth, to the city, at least five thousand dollars, exclusive of the ferry franchise. In addition to this, new land has been made by filling up a portion of a slip, at the expense of the city, and mainly to furnish additional space for the ferry; the city is also allowing damages at the rate of three hundred dollars per annum, to the private owners of the half of pier 29, the end of which is interfered with by the ferry arrangements. The lessees have also arranged their fender poles, so as to shut out even small boats from the adjoining slip, bulkhead, and pier belonging to the city. The map which has been prepared and is in the Comptroller's office, fully illustrates all the arrangements made by the ferry company to protect their own interests, regardless of those of the city. The ferry company ought to arrange their fender poles so as to allow small boats to enter the slip east of the bulkhead leased by the company.

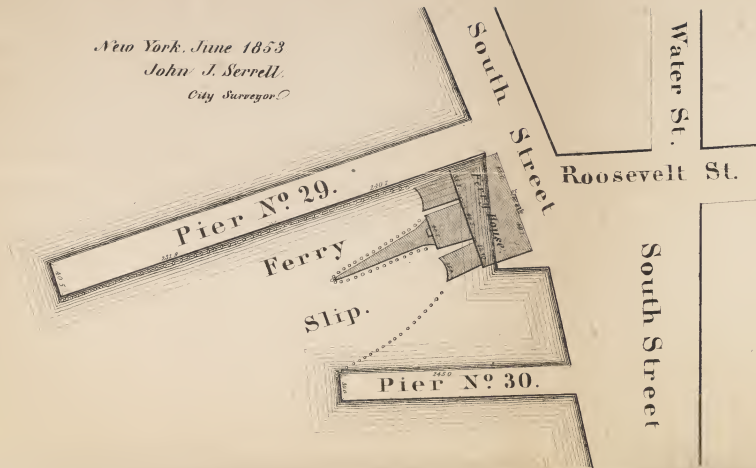
CATHARINE STREET FERRY.

This ferry was leased, in 1846, to Samuel Bowne, for seven years, terminating May 1st, 1853. This lease, by consent of the Comptroller, was assigned to Smith & Bulkley, of Brooklyn, on the 31st of March 1852; nine months prior to this assignment, to wit, on the 9th of June, 1851, and nearly two years before the expiration of the lease of 1846, a new lease was granted, under a resolution of the Common Council, by the late Comptroller, to his brother, Geo. G. Taylor, and Wm. Cockroft. On the 19th of February, 1852, only twenty-nine days before the assignment





New York, June 1853
John J. Serrell,
City Surveyor.



of the lease of 1846, from Bowne to Smith & Bulkley, the Comptroller consented that the lease to his brother and Cockroft, should be assigned to Mr. Woodhull, and on the same day, he consented that Mr. Woodhull should assign the lease to Smith & Bulkley. But in consenting to this arrangement, and in granting the lease to his brother, the Comptroller neglected to provide that the new lessee should take the old boats, as he had done, by a distinct provision, in making the new leases to the Fulton ferry, South ferry, and Hamilton avenue ferry in 1850.

The grant to Taylor & Cockroft is as follows, viz : "All that certain ferry established from the new or Catharine market slip, in the city of New York, to the foot of Main street, in Brooklyn," and from the foot of Main street, "back to Catharine market slip, aforesaid," with the usual fees and perquisites, rents, issues, benefits, and advantages whatsoever to the said ferry *belonging or therewith used*, or thereout arising; and also the ferry house and lot in Brooklyn, appertaining to the said ferry."

In 1852, copies of the several ferry leases were printed in a pamphlet of one hundred and ninety pages. The first lease in this book, is that of the Catharine street ferry, of 1846; and at page 7, the grant of the ferry to Samuel Bowne, in 1846, will be found to be in the precise language of the grant to Taylor & Cockroft, in 1851, as before given. The conveyance in 1846, reads thus, "All that certain ferry, established from the new or Catharine market slip, in the city of New York, over the East river to the foot of Main street, in Brooklyn, and from the foot of Main street, in Brooklyn, aforesaid, back to Catharine market slip aforesaid, with all and singular the usual accustomed ferriage fees, perquisites, rents, issues, benefits,

profits, and advantages whatsoever, to the said ferry belonging, or therewith used, or thereout arising, and also the ferry house and lot in Brooklyn, appertaining to the said ferry."

It is well known to those who are familiar with the Catharine street ferry, that Smith & Bulkley, the former and the present lessees, "used" less than half of the slip in width, and did not interfere with pier No. 35, at all. It is equally notorious that this was the extent of the ferry privilege which the Common Council held out to the bidders of the ferry in 1851, when the Clerk of the Common Council was directed to notify the *petitioners*, not the public at large, to forward their propositions to his office.

The offer of John P. Cummings, which was two thousand five hundred dollars per annum more than that of Taylor & Cockroft, was for *the Catharine street ferry franchise, under which said ferry franchise (1851) ARE NOW HELD*. Although this offer, for ten years, and with the ferry privileges restricted to those enjoyed under the lease of 1846, amounted to twenty-five thousand dollars more than that of Taylor & Cockroft, it was rejected, and the grant was given to the other parties, on the terms, apparently of the grant of 1846, but which have been changed by acts of the Common Council, after the grant was made, so as to benefit the lessees, and damage the interests of the city, to the amount of more than FIFTY THOUSAND DOLLARS.

The lease to Taylor & Cockroft, as before stated, was on the 9th of June, 1851, nearly two years before the old lease expired. It was transferred and re-transferred, until it lodged in the hands of Smith & Bulkley, the assignees of the old lease; and all this manœuvring was to cover up



Water

NEW
LONDON

Catharine.

Catharine Market

Slip.

Street.

South

Street.

Pier N^o 34.

Ferry
Slip.

Pier N^o 35.

Pier N^o 36.

New York June 16.53.
John A. Swindle
City Surveyor



and conceal from the community, interested in the question, the great wrong which has been done to the interests of the city.

It was not enough that the city had been made to lose twenty-five thousand dollars on the proposition of Mr. Cummings; there were other sacrifices connected with this ferry franchise, which were yet to be made by the city; and accordingly, on the 26th of April, 1852, ten months after the grant of the ferry lease to Taylor & Cocksoft, the Common Council passed a resolution to extend pier No. 34, which was to be used by the ferry, at the expense of the city. This extension was made in 1852, by the Street Commissioner, and cost the city eighteen thousand one hundred and ninety-nine dollars and seventy-four cents. This extension of the pier, was a necessary preliminary to filling up Catharine slip for one hundred feet, with a bulkhead and solid earth, for the use of the ferry; the grant for which the ferry had been previously made, and the rate of rent to be paid to the city had been fixed.

The next step taken by the Common Council and the Comptroller, to enlarge the privileges of the lessees, without increasing the rent to be paid to the city, was the adoption of a resolution, on the 9th of November, 1852, precisely seventeen months after the date of the grant to Taylor & Cockroft, to construct a bulkhead across Catharine slip, one hundred feet from the old bulkhead and to fill it in with solid earth, at *the expense of the city*, and for the benefit of the lessees of the ferry. It was also resolved that the whole of the slip be appropriated to ferry purposes, except a reservation for the fish market, and a reservation of the water on pier 35, for the ingress and egress of fishing smacks. There was also a resolution

that the lessees should erect ferry houses, fixtures, &c., as if this was not to be done under the grant of 1851, and as if this was a consideration for doubling the privileges of the original ferry grant.

It will be noticed, by referring to dates in the preceding part of this report, that the ferry lease was transferred from Taylor & Cockroft to Woodhull, and by the latter to Smith & Bulkley, on the 19th of February, 1852. On the 26th of April, two months after the transfer to Smith & Bulkley, the resolution of the Common Council was passed for extending pier 34; and on the 9th of November following, the resolution passed for filling up a hundred feet of the slip for their use and benefit.

The preceding resolutions show the magnitude of the increased ferry privileges given to the lessees up to the time when they entered on the new lease, May 1, 1853. The first demonstration which they made after getting possession under the new lease, was to call on the city to pay them twenty-three thousand dollars for their, then old, ferry boats, which the late Comptroller, in the lease to his brother, had omitted to provide for, as had been done in other leases executed by the same functionary. On these old boats the city lost, and the lessees gained, fourteen thousand and ninety-eight dollars and ninety cents.

But this was not all that was done for these favored lessees at the expense of the city. Another resolution was passed by the Common Council, on the 22d of June, 1853, more than two years after the grant to Taylor & Cockroft, to extend pier No. 35, at the expense of the city; and this extension was completed by the Street Commis-

sioner, on the 1st of October last, at an expense of eight thousand eight hundred and forty-four dollars and seventy-two cents.

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| Under the resolution for the bulkhead, and filling in, the Street Commissioner has paid, during the last season, bills of the Superintendent of Wharves and Piers to the amount of,..... | \$6,001 88 |
| On contract of J. Sharp, for second part of bulkhead,..... | 3,353 14 |
| | <hr/> |
| | \$9,355 02 |

The following recapitulation will show the cost to the city of all these arrangements :

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|--|-------------|
| 1. Loss by not accepting the bid of Mr. Cummings,..... | \$25,000 00 |
| 2. Cost of extending pier 34,..... | 18,199 74 |
| 3. Cost of bulkhead and filling,..... | 9,355 02 |
| 4. Cost of extending pier 35,..... | 8,844 72 |
| 5. Loss on the old ferry boats,..... | 14,981 90 |
| | <hr/> |
| | \$76,381 38 |

But even this does not cover the whole of the wrong. According to the reading of the resolutions, there was reserved to the city, on the easterly side of the slip, on the corner formed by Front street and pier 35, forty feet of bulkhead, and a piece of the new made land, forty feet by one hundred feet; and there was also reserved the privilege of getting to this bulkhead, on the side of pier 35. But the lessees, taking advantage of the extraordinary privileges secured to them by the resolutions of the Common

Council, subsequent to the ferry grant, have run their fender poles two hundred and eighteen feet, to the end of pier 35, thus engrossing and occupying the whole of the slip, and destroying the usefulness of pier 35.

A map has been prepared by John J. Serrell, Esq., City Surveyor, which shows the space occupied in Catharine slip, under the former ferry lease, and the space which Smith & Bulkley are occupying under the new lease, with a grant worded the same as the grants of 1820 and 1846. There is to be sure a vague reference in another part of the lease, to a report of a committee, but in referring to that report, there is nothing which countenances such an encroachment as the one shown by the map, or even any encroachment. This map also exhibits the encroachment on the harbor and the city property, by John J. Hicks, on the upper side of pier 35. Mr. Hicks owns the half of pier 35, but he has no grant for the land under water which he has commenced to fill up.

The Commissioners of the Sinking Fund, in making arrangements for leasing the public property, find forty feet of bulkhead, adjoining pier 35, to which access is cut off by the encroachments of the lessees of the ferry. It is respectfully recommended that the Common Council pass a resolution, directing the lessees of the ferry to remove their fender poles so as to give ingress and egress "reserving so much of the water on the side of the upper pier" (35), and "free ingress and egress of fishing smacks" as provided by the resolution of the 9th of November, 1852.

Respectfully submitted.

A. C. FLAGG, *Comptroller.*

DOCUMENT No. 25.

BOARD OF ALDERMEN,

FEBRUARY 23, 1854.

The following communication from the Corporation Attorney, transmitting a report of the titles of all actions in his hands, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

OFFICE OF THE ATTORNEY TO THE CORPORATION, }
February 3, 1854. }

*To the Honorable the Common Council
of the city of New York :*

GENTLEMEN:—Pursuant to section 439, of the ordinance organizing the departments, I transmit a report of the titles of all actions in my hands, which I am authorized, by section 429 of said ordinance, to prosecute, with the state thereof.

Respectfully submitted,

JOHN B. HASKIN,
Corporation Attorney.

COURT OF COMMON PLEAS.

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| The Mayor, Aldermen and Commonalty of the city of New York, agst. Reuben Withers and others, Commissioners of the N.Y. Academy of Music. | Commenced by Daniel E. Sickles, Esq., and still pending, for building Opera House over the line of the street. |
| The People of the state of New York, agst. James P. Hyatt. | For abandonment. |
| The same, agst. John Walsh and Wm. Wood- lock. | For abandonment. |
| The Mayor, &c., of the city of New York, agst. William Dunlap. | For interring body without certificate of physician. |
| The same, agst. William Secor. | Commenced by Daniel E. Sickles, Esq., for incum- bering Chambers street. |
| The same, agst. George Gillet. | For selling unwholesome meat. |

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| The same, agst. Gardiner Hall. | Commenced by Daniel E. Sickles, Esq., for incum- bering street. |
| The Mayor, &c., agst. James Gregory. | Commenced by Daniel E. Sickles, Esq., for incum- bering street. |
| The People of the state of New York, agst. Wm. Buchanan and others. | On abandonment bond. |
| The Mayor, &c., agst. William Miles. | Commenced by Daniel E. Sickles, Esq., for incum- bering street. |
| The same, agst. Emanuel Hellman. | Commenced by Daniel E. Sickles, Esq., for incum- bering street; settled. |
| The same, agst. Elizabeth Tuomey. | Commenced by Daniel E. Sickles, Esq., for incum- bering street. |
| The same, agst. James McClenan. | Commenced by Daniel E. Sickles, Esq., for incum- bering street. |
| The Mayor, &c., agst. Ebenezer Cook and John S. Babcock. | Commenced by T. E. Tom- linson, Esq., for leaving hoistway open. Tried once, and jury dis- charged. |

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| The same, agst. • Wm. J. Williams and Thompson Price. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. Stephen Whitney and others. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. Robert Ayres, &c. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. J. D. Carhart and others. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. George J. Johnson, &c. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. Louis E. Hagour and others. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. Denton Smith and others. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |
| The same, agst. Joseph G. Allen and others. | Commenced by Daniel E. Sickles, Esq., for not inclosing hoistway. |

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| The same, agst. Friend Titus and others. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |
| The Mayor, &c., agst. Wm. H. Mitchell and others. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |
| The same, agst. Geo. B. Waldron and others. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |
| The same, agst. Ezra Ludlow, jr., &c. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |
| The same, agst. Peter C. Van Schaick and others. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |
| The same, agst. Henry Ellsworth. | Commenced by Daniel E. Sickles, Esq., for not in- closing hoistway. |

SUPERIOR COURT.

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| The People of the state of New York. agst. John S. Kinsley and Rodney Cochrane. | Commenced and tried by E. J. Porter, Esq., trans- ferred from Supreme to Superior Court, on writ of error to Common Pleas—sued out by de- fendants; argued, and not yet decided. |
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MARINE COURT.

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| The Mayor, &c., of the city of New York, agst. James D. Bullock. | For carrying body killed, on the Black Warrior, out of county, without per- mit; judgment, \$200. |
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JUSTICES' COURT—FIRST DISTRICT.

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| The Mayor, &c., of the city of New York, agst. Herman Bullhausen. | Incumbering street. |
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| The same, agst. Leshner, Wood & Weightman. | Incumbering street. |
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|---------------------------------|--------------------------------------|
| The same, agst. Bickford. | Having sign out, contrary to law. |
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|---------------------------------------|--------------------|
| The same, agst. Silas C. Smith. | Privy overflowing. |
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| The same, agst. Wood. | Having coal-carts not pro- perly numbered. |
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| The same, agst. James Daly. | Incumbering street. |
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| The same, agst. A. Lemort. | Incumbering street. |
| The same, agst. Peck & Morrison. | Incumbering street. |
| The same, agst. William Cochran. | Incumbering street. |
| The same, agst. William Loughlin. | Incumbering street. |
| The same, agst. Charles Weed. | Throwing garbage in the street. |
| The same, agst. William Hagadorn. | Throwing garbage in the street—2 suits. |
| The same, agst. H. Nicholas. | Throwing garbage in the street. |
| The same, agst. Jeremiah L. Knapp & Son. | Having carts not number- ed. |
| The same, agst. S. C. Clark. | Incumbering street. |

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| The same, agst. J. Berbenich. | Incumbering street, 2 suits. |
| The same, agst. Hendricks. | Throwing garbage in the street. |
| The same, agst. Batchelor & Gillis. | Throwing garbage in the street. |
| The same, agst. Charles E. Folwell. | Incumbering side-walk. |
| The same, agst. R. Kyle. | Incumbering side-walk. |
| The same, agst. Ann Harrison. | Having vault insecure. |
| The same. agst. J. Bronson. | Incumbering street. |
| The same, agst. D. Shaw. | Incumbering street. |
| The same, agst. H. Shulting. | Incumbering street. |

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| The same, agst. Baldcher. | Incumbering street. |
| The same, agst. Thomas Roach. | Incumbering street. |
| The same, agst. Dieck. | Throwing garbage in the street. |
| The same, agst. Clarke. | Incumbering street. |
| The same, agst. Jones. | Incumbering street. |
| The same, agst. Smith & Brother. | Incumbering street. |
| The same, agst. James Camary. | Incumbering street. |
| The same, agst. Mott & Ayres. | Incumbering street. |
| The same, agst. Peter Veder. | Incumbering street. |

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| The same, agst. C. T. Williamson. | Incumbering street. |
| The same, agst. Alfred Reid. | Incumbering street. |
| The same, agst. William Roller. | Incumbering side-walk. |
| The same, agst. Lurn & Ranftile. | Incumbering side-walk. |
| The same, agst. Gerard R. Knecker. | Incumbering side-walk. |
| The same, agst. Jas. Mullen & Jas. Maguire. | Incumbering side-walk. |
| The same, agst. Rogers. | Incumbering street. |
| The same, agst. Bernard Tighe, | Incumbering street. |
| The same, agst. Barney Seaur. | Selling liquor without li- cense. |

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| The same, agst. Earnest Bennett. | Selling liquor without li- cense. |
| The same, agst. J. Murphy. | Incumbering street. |
| The same, agst. Menzies & Miller. | Incumbering street. |
| The same, agst. Henry O'Brien, &c. | Incumbering side-walk. |
| The same, agst. Higgins & Thurston. | Incumbering street. |
| The same, agst. Levitski. | Incumbering street. |
| The same, agst. Mrs. Heath, Administratrix. | Privy overflowing. |
| The same, agst. Richards & Fleury. | Throwing rubbish, in the street. |
| The same, agst. Edward Burke. | Incumbering street. |

The same,
agst.
T. Loughlin.

Incumbering street.

The same,
agst.
Duprat.

Incumbering side-walk.

The same,
agst.
William Wake.

Throwing garbage in the
street.

The same,
agst.
John Moriarty.

Obstructing street.

The same,
agst.
Josiah Brainard.

Obstructing street.

The same,
agst.
John Twible.

Incumbering side-walk.

The same,
agst.
Farrel.

Incumbering side-walk.

The same,
agst.
Morris.

Incumbering side-walk.

The same,
agst.
Benedick.

Incumbering side-walk.

The same,
agst.
Taggart & Gray.

Throwing garbage in the
street.

The same,
agst.
Philip Dater.

Incumbering street.



DOCUMENT No. 26.

BOARD OF ALDERMEN,

FEBRUARY 27, 1854.

The following communication from the Comptroller, with contracts made by the Street Commissioner, Croton Aqueduct Department and City Inspector, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

DEPARTMENT OF FINANCE, }
City of New York, Feb. 27, 1854. }

To the Honorable Common Council:

The Comptroller, in compliance with section one hundred of the ordinance organizing the departments of the municipal government, respectfully reports that, on the 30th day of December last, he addressed a circular to the Street Department, the City Inspector's Department, the Department of Repairs and Supplies, and the Department of Streets and Lamps, requesting from each a statement which would enable me to comply with said ordinance.

Statements have been received from the Street Depart-

ment, Croton Aqueduct Department, and from the City Inspector's Department. These statements are annexed.

All which is respectfully submitted.

A. C. FLAGG, *Comptroller*.

STREET DEPARTMENT, }
January 7, 1854. }

AZARIAH C. FLAGG, Esq.,

Comptroller, &c.

DEAR SIR:—In reply to your note of December 30, 1853,
I herewith submit a statement of

CONTRACTS NOT COMPLETED.

Grading 49th street, from 5th avenue to East river.

do. 2d avenue, from 53d to 86th street.

Reg., and curb and gutter, 51st st., East to Hudson river.

do. and grading 59th street, from 5th av. to Broadway.

do. 8th avenue, from 84th to 108th street.

do. 70th street, from 10th avenue to Hudson river.

do. and curb and gutter, Lexington av., 50th to 57th st.

do. 50th street, from 5th to 7th avenue.

do. and Macadamiz. 69th, 70th and 71st sts., 7th to 8th av.

do. 48th street, from 4th to 5th avenue.

do. 55th street, from 9th avenue to Hudson river.

do. 55th street, from 5th to 6th avenue.

do. curb and gutter, and flagging, 40th st., 9th to 10th av.

do. 56th street, from 3d avenue to East river.

do. 36th street, from 3d avenue to East river.

do. 44th street, from 1st avenue to East river.

do. 46th street, from 8th avenue to Broadway.

do. 123d street, from 3d avenue to Avenue A.

Reg., 2d avenue, from 28th to 53d street.

do. 90th street, from 4th to 5th avenue.

Paving and flagging 38th street, 11th av. to Hudson river.

Regulating 52d street, from 4th avenue to East river.

do. 43d street, from 3d to 5th avenue.

do. 48th street, from 10th avenue to Hudson river.

do. 7th avenue, from 59th to 72d street.

do. 7th avenue, from 45th to 59th street.

do. 84th street, from 2d to 3d avenue.

do. 63d street, from 8th to 9th avenue.

do. 47th street, from 3d to 8th avenue.

do. 56th street, from 5th avenue to Broadway.

do. 59th street, from 8th to 10th avenue.

do. and flagging 41st street, from 4th to 5th avenue.

do. 47th street, from 3d avenue to East river.

do. 48th street, from 3d avenue to East river.

do. 46th street, from 5th avenue to East river.

do. 5th avenue, from 42d to 49th street.

do. 63d street, from 5th to 6th avenue.

do. 52d street, from 11th avenue to Hudson river.

do. 54th street, from 1st to 5th avenue.

do. and paving 10th avenue, from 45th to 55th street.

do. and flagging 6th avenue, from 42d to 49th street.

do. 53d street, from 6th avenue to Broadway.

do. 53d street, from 3d to 6th avenue.

do. 34th street, from 8th to 9th avenue.

do. 36th street, from 10th avenue to Hudson river.

Flagging 5th avenue, from 34th to 42d street.

Cross-walks at 125th, 126th, 127th, 128th and 129th sts.,
and 3d, 4th and 5th avenues.

Regulating and paving 10th avenue, from 33d to 45th st.

Macadamizing 7th avenue, from 59th to 72d street.

Regulating Lawrence street, from 126th to 129th street.
 do. and flagging 41st street, from 10th to 11th avenue.
 do. 57th street, from 5th avenue to Broadway.
 do. 78th street, from 3d to 5th avenue.
 do. and flagging 51st street, from 3d to 6th avenue.
 do. 86th street, from Broadway to Hudson river.
 do. 70th street, from 10th avenue to Broadway.
 do. 39th street, from 2d to 3d avenue.
 do. curb and gutter, and flag. 45th st. 5th av. to B'way.
 Paving and flagging 36th st., from Broadway, to 8th av.
 Regulating 55th street, from 3d avenue to Avenue A.
 Paving and flagging 41st street, from Broadway to 6th av.
 Regulating and Macadamizing 71st st., from 6th to 7th av.
 Paving and flagging 37th street, from 2d to 3d avenue.
 Regulating 118th street, from 3d avenue to Harlem river.
 Enlargement of the Battery.
 Regulating and paving 34th street, from 8th to 9th av.
 do. 6th avenue, from 67th to 86th street.
 Pier foot of Chambers street, North river.
 Paving, and curb and gutter, 8th st., Lewis st. to E. R.
 Pier foot of King street, North river.
 Regulating Lexington avenue, from 48th to 50th street.
 Protection walls on 2d avenue.
 do. do. 54th street, between 2d and 5th avs.
 Filling at bulkhead foot of 131st street, North river.

Very respectfully, &c.

CONTRACTS ON WHICH MONEY REMAINS UNPAID.

| | |
|--|---------|
| Sewer, 31st st., between 3d and Lexington av. | \$95 05 |
| Flagging 26th street, between 9th and 10th av. | 76 25 |
| do. 20th street, between 1st and 2d avs. | 20 96 |

| | |
|--|----------|
| Flagging Mangin st., bet. Delancy & Riv'tn sts. | \$ 49 60 |
| Reg. side-walks, and curb and gutter, Madison st., from James to Roosevelt..... | 31 85 |
| Regulating, &c., 29th street, 5th to 6th avenue. | 71 44 |
| Paving 37th street, 9th to 10th avenue..... | 648 00 |
| Sewer, 10th st., Avenue C to Dry Dock street. | 145 08 |
| Reg., and curb & gutter, 45th st. 8th to 9th av. | 42 74 |
| Flagging 36th street, 9th to 10th avenue..... | 116 45 |
| Cross-walks, 10th street, at Dry Dock street.. | 17 00 |
| Reg., paving and flag. 29th st., 9th to 11th av. | 732 22 |
| do. 11th avenue, 43d to 46th street..... | 754 55 |
| Sewer, Delancy st., from old sewer to E. river | 19 35 |
| Curb and gutter, and flag. 42d st., 8th to 10th av. | 969 06 |
| Reg., and curb and gutter, 41st st., 9th to 10th av | 2,809 69 |
| Sewer, 9th avenue, 30th to 34th street..... | 69 00 |
| do. 6th avenue, 35th to 37th street..... | 998 53 |
| do. Duane, Thomas, Jay and Hudson streets | 379 98 |
| do. City Hall place and Duane street..... | 49 60 |
| Regulating, curb and gutter, and paving, 28th street, 10th avenue to Hudson river..... | 584 69 |
| Flagging 12th street, Broadway to 4th avenue. | 16 32 |
| Sewer, Renwick street, Canal to Spring street. | 205 10 |
| do. Varick street, Canal to Laight street.. | 38 79 |
| Flagging Broadway, 40th to 42d street..... | 30 86 |
| Curb and gutter, Rivington st., Bowery to Norfolk street..... | 104 60 |
| Paving 26th street, Broadway to 6th avenue.. | 54 23 |
| Regulating 11th avenue, 33d to 43d streets.... | 203 48 |
| Sewer, 8th avenue and 54th street..... | 955 82 |
| Repaving South street, at Maiden lane..... | 975 67 |
| Regulating 35th street, 1st to 2d avenue..... | 678 36 |
| do. 6th avenue, 42d to 57th street..... | 3,644 93 |

| | |
|--|----------|
| Sewer, 49th street, 8th avenue to Broadway... | 432 16 |
| do. 43d, 5th and 6th avenue to 40th street. | 1,994 17 |
| do. 10th avenue, 42d to 46th street..... | 3,889 47 |
| Curb and gutter, and reflagging Centre street, Franklin to Leonard street..... | 73 11 |
| Paving and flagging 37th street, 8th to 9th av. | 694 98 |
| Flagging 13th street, Avenue B to Avenue C. | 145 92 |
| Regulating, &c., 46th street, 5th to 7th av.... | 3,138 00 |
| Paving and reg. 31st st., 8th av. to Broadway. | 251 00 |
| Flagging 30th street, 7th to 8th avenue..... | 84 09 |
| Reg., & curb & gutter, 32d st., 10th to 11th av. | 286 69 |
| do., pav., & cb. & gut., 16th st., Av. A to Av. B | 439 02 |
| Grad., cb. & gut., & flag. 10th av., 42d to 46th st. | 3,263 58 |
| Paving, and curb and gutter, 34th st., 4th av. to Broadway, and bet. 9th and 10th av... | 879 16 |
| Regulating 45th street, 2d to 3d avenue..... | 189 60 |
| do., & curb & gutter, 36th st., 10th to 11th av. | 438 70 |
| Paving 23d street, 7th to 8th avenue..... | 212 62 |
| Sewer, 37th street, 2d av., 60 feet east of 3d av.. | 1,452 74 |
| Grading 46th street, 10th av. to Hudson river. | 677 92 |
| Paving 19th street, 1st avenue to East river... | 1,215 20 |
| Paving Wall street, Water to South street... | 177 17 |
| Reg. & grad. Bloom. road, 59th st. to 10th av. | 1,383 17 |
| do. 83d street, Avenue A to 3d avenue..... | 798 72 |
| Flagging from 54 to 52 and 94 to 100 Fulton st. | 53 00 |
| Reg., repav., & curb & gut., Wall and Old slip. | 73 75 |
| do. and grading 33d st., 3d av. to East river. | 270 14 |
| Paving, & curb & gutter, 34th st., 9th to 10th av. | 548 95 |
| do. and flagging 51st street, 8th to 10th av. | 5,753 47 |
| do. 5th avenue, 30th to 42d street..... | 1,436 21 |
| Reg., grading, &c., 46th street, 8th to 10th av. | 623 80 |
| Paving 3d avenue, 38th to 40th street..... | 825 59 |

| | |
|--|-----------|
| Regulating 8th avenue, 120th to 125th street.. | 2,487 75 |
| Flagging 122d street, 3d av. to Harlem river. | 1,620 55 |
| Filling, &c., 11th avenue, 29th to 33d street.. | 3,410 99 |
| Sewer; 9th avenue, 45th to 51st street..... | 4,937 07 |
| Reg. & pav. Dey st., Broadway to Greenwich st. | 150 10 |
| Flagging 33d street, 4th to 6th avenue..... | 244 83 |
| Sewer, 38th street, 6th to 8th avenue..... | 4,886 32 |
| Regulating 8th avenue, 84th to 108th street... | 7,867 50 |
| do., and curb and gut., 47th st., 10 av. to N.R. | 3,447 20 |
| do. 83d street, 3d to 5th avenue..... | 1,310 37 |
| do. 37th street, 2d avenue to East river.... | 288 41 |
| do. curb & gut. & flag. B'way, 46th to 51st st. | 1,204 22 |
| Regrading Greenwich and other streets, Cort- | |
| landt street to the Battery..... | 2,842 23 |
| Regulating 45th street, 3d to 5th avenue..... | 1,955 61 |
| do. and paving Broadway and 7th av. 42d to | |
| 46th st., and Macadamizing, 51st to 59th st. | 3,675 47 |
| Reg. & curb & gut. 49th st., 10th av. to Hud. riv. | 12,714 09 |
| Enlargement of the Battery..... | 40,000 00 |
| Block at foot of 131st street, North river.... | 4,333 34 |
| Pier at foot of Charlton street, North River.. | 6,898 50 |
| Pier at foot of King street..... | 4,225 00 |
| Reg. Legington av, 48th to 50th st., estimated. | 5,000 00 |
| Protection walls on 2d avenue..... | |
| do. do. 54th st., bet. 2d and 5th av. | 3,900 00 |
| Filling at bulkhead foot of 131st st., North riv. | 21,032 70 |

Very respectfully, &c.,

JAMES FUREY,

Street Commissioner.

CROTON AQUEDUCT DEPARTMENT, }
January 16, 1854. }

HON. A. C. FLAGG,

Comptroller, &c.:

Annexed, please find abstracts of all contracts for the construction of sewers made by this department, with the amounts due or estimated to grow due on them.

| | | |
|--|----------|----|
| 41st street, between 6th and 8th avenues.... | \$17,575 | 34 |
| 42d street, between 3d and Lexington avs.. | } 12,519 | 34 |
| Lexington av., between 38th and 42d sts... | | |
| 39th, 40th & 41st st., bet. Lex'ton & 4th av. } | | |
| 32d street, between 8th and 9th avenues..... | 2,300 | 68 |
| 54th street, between 3d and 4th avenues..... | 6,169 | 04 |
| 35th street, between 9th and 10th avenues.... | 3,297 | 89 |
| 118th street, between 3d av. and Harlem river. | 11,821 | 68 |
| 38th street, between 5th av. and 320 ft. east. | 2,859 | 42 |
| 35th street, between 2d av. and East river... | 4,038 | 57 |
| 1st st., Av. A to and through Bowery to 2d st. | 7,806 | 64 |
| Gansevoort st., 4th st. and Hudson river.... | 6,788 | 70 |
| Prince st., between Thompson & Macdougall st. | 2,083 | 61 |
| 35th street, between Lexington and 4th avs.. | 2,065 | 27 |
| Amos st., between 4th street & Hudson river. | 8,699 | 84 |
| 5th st., between Avenue A & 50 feet W. 1st av. | 2,850 | 17 |
| Elizabeth st., between Bleecker & Houston sts. | 1,391 | 14 |
| Washingtonst., between Spring & Charlton... | 1,634 | 36 |
| 14th st., corner Avenue B, basin..... | 194 | 76 |
| Mercer street, between Spring and Prince... | 1,741 | 87 |
| 8th street, between Avenue C and Avenue D. | 988 | 45 |
| 3d avenue, corner 21st street, basin..... | 176 | 81 |
| 46th st., 8th av., thro' 7th av. to 51st st. (est's) | 18,361 | 50 |

Carried forward..... \$115,364 09

| | |
|--|--------------|
| Brought forward,..... | \$115,364 09 |
| 32d street, between 9th and 10th avenue. est'd | 5,300 00 |
| 48th street, between 11th and 12th avs. " | 4,230 00 |
| 46th street, between 7th and 5th avs... " | 8,400 00 |
| 49th st., East river to and through 2d av. | |
| 53d st., and 3d avenue to 56th st.. " | 89,670 00 |
| 49th street, between 6th and 7th av.... " | 4,500 10 |
| 39th st., between 9th and 10th avenues. " | 3,740 00 |
| 7th avenue, between 56th and 54th st. } | 6,240 00 |
| 54th street, bet. 7th av. and Bowery. } | |
| 46th street, between 12th and 11th avs. " | 4,500 00 |
| 38th street, between 9th and 10th avs.. " | 5,056 00 |
| 3d avenue, between 49th and 53d sts... " | 5,700 00 |
| 44th street, 6th av. thro' 3d av. to 42d st. " | 15,000 00 |
| 38th street, between 2d and 3d avenues. " | 3,000 00 |
| Avenue C, 13th st., thro 14th to E. R.. " | 34,000 00 |
| 50th st., between 8th av. and 350 ft. E. " | 2,500 00 |
| Mott street, between Pell and Walker.. " | 2,400 00 |
| 45th street, between 8th and 6th avs... " | 7,600 00 |
| Battery pl., bet. Washington & West sts. " | 3,210 00 |
| | <hr/> |
| | \$320,421 09 |
| Add for contingencies..... | 20,000 00 |
| | <hr/> |
| | \$340,421 09 |

ALEX. T. DODGE,

Contract Clerk, Croton Aqueduct Dept.

CITY INSPECTOR'S DEPARTMENT, }
New York, Jan. 28, 1854. }

To A. C. FLAGG, ESQ.,

Comptroller :

DEAR SIR :—In reply to your request dated December 30, 1853, to furnish you information of all contracts (in this department) made by the Corporation, or directed or authorized by the Common Council, and not performed or completed, or upon which any money (is) remaining unpaid, with the amount so remaining unpaid on each," I present the following statement :

Contracts, as per ordinances and confirmation of the Common Council, for the abatement of nuisances, by filling in low and sunken lots, return of which as completed has not been made to this department.

On the block bounded by Thirty-fourth and Thirty-fifth streets, Second and Third avenues ; Terrence Koen, contractor, at seventeen cents per cubic yard.

On block bounded by Thirty-fourth and Thirty-fifth streets, First and Second avenues ; Patrick O'Brien, contractor, at twelve and a half cents per cubic yard.

On block bounded by Forty-third and Forty-fourth streets, Tenth and Eleventh avenues ; William A. Cumming, contractor, at thirty-two cents per cubic yard.

On block bounded by Thirty-fifth and Thirty-sixth streets, Second and Third avenues ; John Lynch, contractor, at fifteen cents per cubic yard.

On block bounded by Thirty-ninth and Fortieth streets, Ninth and Tenth avenues ; William A. Cumming, contractor, at twenty-nine cents per cubic yard.

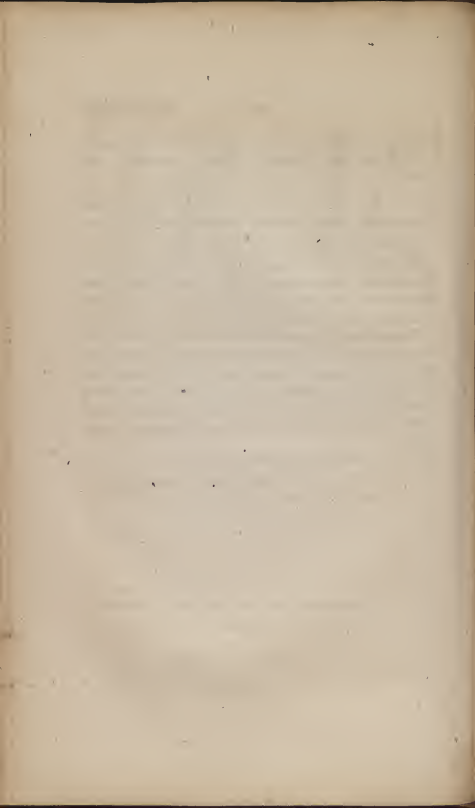
Lots on the northerly side of Thirty-sixth street, between Second and Third avenues ; John H. Estabrook, contractor, at twenty-six cents per cubic yard.

The amount of the above work I can only give when the return of the Surveyor shall have been made to this Department. Many (if not all) of the above have been completed, but no return has yet been made.

There is also a contract made by the Corporation, in this Department, for the removal from the city of butchers' blood, offal, dead animals, and other refuse substances and nuisance ; the particulars connected with the same being doubtless fully known to you by the monthly bills rendered, and presented to you, for the performance of said work.

Respectfully yours, &c.,

THOMAS K. DOWNING.



BOARD OF ALDERMEN.

FEBRUARY 27th, 1854.

The following communication from the Street Commissioner in relation to regulating Eighth avenue, from Fifty-ninth, to One hundred and eighth street, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk, C. C.*

Whereas, A resolution passed, and duly signed by the Mayor, May 19th, 1853, directing, that the Eighth avenue, from Fifty-ninth to Eighty-second street, be regulated and graded under the direction of the Street Commissioner.

And whereas, it is important to the best interest of the city that said avenue should be regulated and graded without delay, Therefore

Resolved, that the Street Commissioner report to this Board, at its next meeting, whether a contract for the completion of said work has been made; if so, with whom, and when the same will probably be completed; and also to report whether the balance of said avenue, from said Eighty-second street, upward, is under contract, and if so, whether any action on the part of the Common Council is necessary to bring the same to a speedy completion.

By Alderman Wakeman.

STREET DEPARTMENT, }
Feb. 20, 1854. }

To the Honorable Board of Aldermen:

GENTLEMEN:—In reply to the annexed resolution the Street Commissioner respectfully reports.

REPORTS :

That the contract for regulating Eighth avenue, from Fifty-ninth to Eighty-second street, has been awarded to two different parties, being the lowest bidders. they, having failed to comply with their agreements, I have decided to reaward the same to the next lowest bidder, Patrick Masterson, and hold the delinquents and their sureties liable for the difference in prices. The contract has not yet been signed by him, but I trust he will proceed with the work forthwith.

The avenue, from Eighty-second street to One hundred and second street is worked and graded; from One hundred and second to One hundred and eighth street is under contract, Thomas J. Hagan being the contractor; no limitation of time was inserted in the contract, which was made under the former Street Commissioner, but I learn that the work is as rapidly approaching completion as its nature will admit. The expenses of the same to be drawn from the Appropriation for Roads.

Very respectfully, submitted.

JAMES FUREY,

Street Commissioner.

DOCUMENT No. 28.

BOARD OF ALDERMEN,

FEBRUARY 27, 1854.

The following communication from his Honor the Mayor, in reference to the police force in the Twelfth Ward, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

To the Honorable the Common Council :

GENTLEMEN :—The accompanying communication, from the Captain of the Twelfth District, has been handed to me by the Chief of Police, and I embrace the opportunity to call your attention, more particularly as regards the police force employed there, to protect the persons and property of citizens. This ward embraces territory to the extent of twelve square miles, reaching from the East to the Hudson river, and from Eighty-sixth street to Spuytenduyvel creek.

The whole of this immense property is yearly taxed for the support of the police force, and yet the inhabitants have had a moiety of protection extended to them.

Embraced in this territory are three places, known as Harlem, Manhattanville and Carmansville, which are thickly settled; besides these settlements, there are a large number of costly mansions scattered over the district. The Harlem railroad sends fourteen trains of cars to Harlem every day. The Third Avenue railroad connects with Harlem and intermediate streets about every ten

minutes during the day, by means of stages, and the Second Avenue Railroad, it is confidently expected, will be extended to Harlem by the middle of next summer ; on the west side of the ward, the Sixth and Eighth Avenue railroads will soon be compelled to extend their rails to the end of the island, to accommodate the travel ; and the Hudson River Railroad now stop several train cars every day at Manhattanville, One hundred and fifty-second street, and other points above. All these means of communication are inducing a large number of our citizens to seek a residence beyond the densely-populated portion of the city, and it is the duty of the city authorities to encourage, by every means in their power, the settlement of the citizens within the county.

To do this, persons residing in that portion of the county should be made to feel, that they have all the protection that the city could afford them.

The police force of that ward now number only thirty men, including officers ; a number far too small to afford the necessary protection to the inhabitants, and I would recommend that twenty additional policemen be appointed to that ward, which can be done under the act of the legislature of 1846.

The act of 1846 increased the number of policemen to nine hundred, to be apportioned among the seventeen wards then laid out, of which the Twelfth Ward formed one. The Common Council, in making the apportionment, only apportioned eight hundred and fifty-four, leaving forty-six for future consideration, but which have never been apportioned.

The several acts passed since, creating new wards, provided for the apportionment of the necessary police force for each of said wards, besides the number provided by

the act of 1846 ; so that it is still competent for the Common Council to apportion the remainder of the nine hundred men, and not less than twenty of them should be given to the Twelfth Ward.

I would also recommend that a sub-station house be erected in that ward, at some point between Manhattanville and Carmansville, which has become essentially necessary for the accommodation of the force, and the protection of the inhabitants. The extent of territory to be patrolled in the Twelfth Ward, renders it also necessary to provide, for a portion of the ward, a horse patrol, which would require six additional horses. With this force, it is believed that the most ample protection would be afforded, and the large number of citizens now inhabiting, and the large number of citizens constantly seeking residences in that portion of the county, would feel secure in their persons and property.

JACOB A. WESTERVELT.

TWELFTH PATROL DISTRICT, NEW YORK, }
February 14, 1854. }

GEORGE W. MATELL, ESQ.,

Chief of Police :

SIR:—I take this opportunity to bring to your notice what I consider to be the wants and rights of this ward, in regard to the apportionment of the police force.

You are aware that the number of officers and policemen are thirty, and this apportionment was made when the population was less by one-half than the present.

Now this Twelfth (the mother of wards) District embraces a territory of about twelve square miles ; and within its limits are the thriving villages of Manhattanville, Carmansville, Harlem, and a part of Yorkville, all of which are increasing yearly, at the rate of thirty-three per cent.

In this ward are located charitable and public institutions, containing, when full, near six thousand souls, viz :

Emigrant Hospital, Ward's Island ; Nursery and School, Randall's Island ; Leake and Watts' Orphan School, and State Lunatic Asylum.

To which may be added the extensive building, nearly complete, on Randall's Island, for the reception of juvenile delinquents.

Also, the extensive buildings now in course of erection at Fort Washington, for the reception of the deaf and dumb.

Thus, together with the High Bridge, public gardens and pleasure grounds, are attractions calculated to draw thousands of visitors daily from the densely-crowded portions of the city.

Now, we have for night patrol duty eleven men ; each tour less than one to the square mile.

And for day, say five for each tour of day duty, or one for each village.

One other matter :

The sub-station at Manhattanville is unfit for the purposes intended, being too small, beside the location should be between Manhattan and Carmansville, if anywhere. Lots could be obtained now at a reasonable price, and a building put up suited to police purposes, which will soon be required.

I submit respectfully the foregoing matters for your consideration and approval.

Respectfully, &c.,

GALEN T. PORTER,

Captain Twelfth District.

DOCUMENT No. 29.

BOARD OF ALDERMEN,

MARCH 6, 1854.

The following report of Committee on the Law Department, on resolution directing the Clerk of the Board of Aldermen to hand the unfinished business of the late Board to the various Committees of this Board, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on the Law Department, to whom was referred the following resolution, to wit. :

“ *Resolved*, That the Clerk of the Board be requested to have the unfinished papers or matters of the last Board handed to the appropriate committees of this Board,” respectfully

REPORT :

That they have given the subject careful consideration, and are of the opinion, that the present Board of Aldermen have full power to act upon, concur in, reject or amend any resolution or ordinance, passed by the late Board of Assistant Aldermen, prior to the first Monday of January last, and not since finally acted upon by this Board.

That such power exists is assumed by the terms of the resolution, but when the resolution was pressed for adoption that power was denied, and therefore, it was referred to this Committee to report upon that question, to wit: the question of power; and it is to that point, alone, to which the labors of your Committee have been addressed, and upon which they have just expressed their conclusions.

Upon examining the records of the Board of Assistant Aldermen, your Committee find that the whole subject had been thoroughly investigated by the late Counsel to the Corporation, in an elaborate communication sent to that Board, in reply to a resolution involving the question under consideration, bearing date, April 19, 1850. See proceedings Board of Assistant Aldermen, vol. 38, p. 126. The conclusions arrived at by your Committee are fully sustained by the learned Counsel who prepared that communication, and they desire that the same may be read as a part of this report.

Your Committee have also procured a copy of an opinion prepared by George Wood, Esq., upon the same question, and sustaining, with much force, the conclusion to which your Committee have arrived.

It is hereto annexed, marked A, and forms a part of this report.

Although your Committee might safely consider that the arguments contained in these two able opinions, entirely sufficient to convince the most incredulous opponent of the correctness of the affirmative of the proposition under consideration, yet, they cannot but feel that the course

of the arguments used, might mislead the unreflecting from the true position of the question.

Indeed, it might be supposed that the burden of proof lay with those who affirm the existence of such a power; whereas, it is believed, that that side of the issue is already fully made out, and established by force of, and upon the face of the statute. By the charter, as amended, three facts must exist before a resolution or ordinance becomes valid. It must have passed both Boards of the Common Council, and be signed by, or passed, after presentation, without the signature of the Mayor. These three facts existing irrespective of time, the statute is fully complied with its exhausted, and the act, whatever it may be, is the act of the Mayor, Aldermen and Commonalty, and is valid.

If the legislature intended that the valid action of the two Boards should be confined to the members composing those Boards for the same given period, it most certainly would have been expressed. No such restriction being made, it is quite evident that none was intended. It is a full compliance with the statute *if at any time* the matter has passed the two Boards. These two Boards, as individual separate parts of the Corporation, have been in existence, by force of the statute, since 1830, as such they were created by the statute, and together with the Mayor form the legal person, or in other words the Corporation.

They are continuous, and in one sense immortal, while their component parts are nullable and transitory. Individually the Mayor may change every year, but legally his existence is perpetual and co-extensive with the existence of the Corporation. So with the two Boards, the members composing them may change a dozen times a

year, but still, in law, they are and remain the same, continuous and identical.

This doctrine is not only expressed upon the face of the statute, but is in accordance with well-settled principles of law applicable to corporations. In the case the Supervisors of Chenango County *vs.* Birdsall, 4 Wendell's Reports, pages 453 and 460. Mr. Justice Marcy declared, "that the idea that one *board* of Supervisors may rejudge the matters passed upon by a former board, is not to be tolerated, though there has been a succession of members, the Board of Supervisors of Chenango, in 1828, *is the same body, to all legal effects*, as that which was assembled in 1815; and the Board of 1828, are as much bound by the acts of a preceding Board as if the same natural persons constituted the Boards at the two distinct periods." The same general doctrine is contained in the opinion of Chief Justice Marshall, in the celebrated case of Dartmouth College *vs.* Woodward, 4 Wheaton, U. S. Reports, page 636; and also, in the introduction to Angel and Ames, on Corporations.

That the doctrine contended for, has been practiced since 1830, and is an established custom of the two Boards, is fully shown by the two opinions before referred to.

From these considerations it is quite evident that the affirmative of this proposition contended for, is fully established, and that the labor of proof is upon those who assert a contrary doctrine. The principle argument offered to accomplish this object is derived from analogy; a course of reasoning not very cogent or satisfactory when applied to the investigation of a mere question of power.

It is asserted that the usage and practice of the British Parliament ; of the Congress of the United States ; of the Legislature of our own State, and of the several States of the Union, is contrary to the practice indicated by the resolution under consideration.

This is admitted, but your Committee are unable to perceive that it therefore follows that the *same rule is binding upon this Corporation*. That the cases are widely different is apparent to every well-informed mind, and is fully pointed out and shown in Mr. Wood's opinion hereto annexed, and renders further comment, by your Committee, unnecessary.

The other arguments used to show that no such power exists, for example, "that a matter might be acted upon twice by the same individuals, and that a matter might be returned by the Mayor to a board composed entirely of new members," &c., are merely those of expediency, and are quite inapplicable. The question is one of *power* not of expediency ; and the duty devolved upon this Committee, by the reference, was simply to inquire and report whether, in *fact*, such power exists. * If it does, whether it shall be exercised or not is entirely in the discretion of the Board, and not with the Committee. That such power does exist, has, in the opinion of your Committee, been fully shown.

ABRAM WAKEMAN, } *Committee on*
 } *Law Department.*

I concur in the conclusions of the above report.

D. D. LORD,
 Committee, &c.

February 9, 1854.

OPINION OF GEORGE WOOD, ESQ.

A question has been raised, whether a new Board of Assistant Aldermen can take up business which has been passed upon by a former Board of Aldermen and left unfinished.

I do not think that in such cases the unfinished business must be abandoned, and the whole proceedings commenced anew.

The Mayor, Aldermen and Commonalty of a city form an aggregate municipal corporation composed of integral parts. Such a corporation is continuous. It does not change its powers or its character by the change of its members.

In legislative bodies the rule is different in respect to the enactment and passage of laws and resolutions.

Their rules of action are taken in a great measure from those of the British Parliament, which had their origin in the early history of the country.

The parliaments were called together by the king, often after long intervals. He often acted in a legislative capacity without their intervention. Hence, it became not only incumbent, but indispensable, that those parliaments so called and organized, should, in their action, be so far disconnected as to render the legislative action of one independent of the others, either preceding or succeeding. But the case is widely different with our subordinate corporations. The case in 10 Wendell, 659, is in point.

These corporations change their members frequently ; a vast amount of business is constantly before them, and

in an unfinished state, and it would be attended with inconvenience to the body, and with great inconvenience and expense to the public, if all the unfinished business should cease, and require to be done over, in every change of the members of a corporation.

The usage is directly the other way, and usage is all-important in determining such cases, when a decision contrary to such usage would upset a multitude of transactions, and involve large numbers of people in loss, expense, litigation and often in ruin.

I think, decidedly, that in such cases a body with newly elected members, may take up and consider the unfinished business.

Signed,

G. WOOD.

NEW YORK, *January* 13, 1851.



DOCUMENT NO. 30.

BOARD OF ALDERMEN.

MARCH 15, 1854.

The following report of the Committee on Ferries, in relation to the Williamsburgh Ferries, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

The Ferry Committee, to whom were referred the preamble and resolutions from the Common Council of the city of Williamsburgh, asking the Common Council of the city of New York to investigate the condition of the ferries under the management of the Williamsburgh Ferry Company; a communication from his Honor the Mayor of the city of New York, calling attention to the same subject, and the petition of William Laytin, President of the Williamsburgh Ferry Company, would respectfully :

REPORT :

That they have carefully investigated the subject matter referred to them. They have had before them the Committee of the Williamsburgh Common Council, a Committee appointed by a mass meeting of the people of that city, and have also had a personal interview with the President

of the Williamsburgh Ferry Company on the subject ; beside which they have personally visited and inspected the ferries of the company.

Your Committee find that the people are loud in their complaints against the management of these ferries. It was in evidence before your Committee that, on the Peck Slip Ferry, it was a frequent occurrence to find only *two* boats, whereas, by the terms of the lease, the company obligate themselves to run *three* on that ferry : that although the lease designed that the boats should leave the slips every ten minutes, it has been twenty, and even thirty minutes between the starting time of the boats, where there was no other cause than the neglect or refusal of the company to supply three boats. The want of cleanliness, heat and light on the boats : lack of police regulations ; want of a sufficient number of hands to manage the boats ; reckless conduct of the pilots ; want of light on the bridges, by which it is alleged that human life has been sacrificed, are also among the grievances of which the people complain.

Most of these charges are denied by the company, as will be seen by reference to the communication of the President attached to this report. They claim to have more than complied with the terms of the lease granted to them by the Corporation of the city of New York, in 1849, for the Grand street and Peck Slip Ferries, and that subsequently granted in 1850, for an additional ferry from Grand street, New York, to Seventh street, Williamsburgh.

The Company charge that the complaints of the people are exaggerated ; and assert that the agents of a rival

company have, to a great extent, got up and fostered this excitement against them. They, however, admit that, in some respects, there has been cause of complaint, and give your Committee every assurance of their desire to abate these grievancees. Through the President of said ferry company, we have also the assurance of their willingness to adopt any suggestion or make any changes which the Common Council may deem necessary, to make these ferries what the travel over them requires. While your Committee are satisfied that the complaints made by the people of Williamsburgh and the Common Council of that city have been fully justified by the past management of these ferries, it is but justice to the company to state that, since the matter has been before your Committee, most of the causes of grievance have been removed or remedied.

We find that the Williamsburgh Ferry Company are the lessees of three different ferries plying between this city and Williamsburgh. By a lease, on file in the Comptroller's office, dated on the 12th day of September, 1848, the privilege of running ferry boats from Grand street and Peck slip to Williamsburgh was granted to the parties named therein for a period of ten years, from the 1st of May, 1849. The lessees, by that instrument, obligate themselves to pay into the city treasury, for the use of the slips of the Grand Street Ferry and the ferry privilege, the sum of six thousand dollars per annum. The rent of the Peck Slip Ferry is fixed at three thousand dollars a year. Subsequently, in 1850, a resolution was passed by both Boards of the Common Council, and which became a law without the Mayor's approval, granting to the lessees of the Peck Slip and Grand Street Ferries the

additional privilege of running a third ferry, from Grand street, New York, to South Seventh street, Williamsburgh. For this privilege no rent is paid to the city ; but by the terms of the resolution granting this privilege, the company is bound in all respects to run said last mentioned ferry under the same regulations and rates of ferriage as are by the lease provided for the Grand Street Ferry. One of the conditions of the lease of the Peck Slip and Grand Street Ferries is, that the lessees "shall at all times, during the said lease, conduct and manage the said ferries agreeably to such rules, regulations, rates of ferriage, times of running, and restrictions as now are, or may from time to time be hereafter, during the said term, by any by-law, ordinance or resolution of the said parties of the first part, (the Common Council of New York,) or their successors, be made or passed in relation to the same." The three boats to be used on the Peck Slip Ferry were to be not less than one hundred and thirty feet long, and of corresponding dimensions ; and the two from the Grand Street Ferry not less than one hundred feet ; all the boats to be furnished in a style equal to a boat called the "Wyandank," then used on the Fulton Ferry. On the Peck Slip Ferry, the boats were to leave the landings every ten minutes, from an hour before sunrise to an hour after sunset ; and on the Grand Street Ferry once in every five minutes during the same hours. The rates of ferriage were, for foot passengers, over the Peck Slip Ferry, four cents, and on the Grand Street Ferry three cents. These were the regulations and rates of ferriage adopted in 1848, when the population of Williamsburgh was only about twenty thousand. Since that time the population of that city has more than doubled, while the ferry ac-

commodations then provided remain about the same. If any change has been made, it has been by the company; as the Common Council has, up to this time, directed no alteration in the management of the ferries. It is safe to say, your Committee believe, that the passengers and business now crossing the ferries under the management of the Williamsburgh Ferry Company is more than double what it was during the first year of their lease. Not only has the population of Williamsburgh gone from twenty up to about fifty thousand since that date, but the population of East Brooklyn, Greenpoint, and all that portion of Long Island back of Williamsburgh, has increased during that period in a still greater ratio. All this adds to the travel and business of the ferries of the Williamsburgh Ferry Company. Under these circumstances your Committee are of opinion that new regulations and a reduced schedule of ferriage ought to be adopted by the Common Council, by virtue of the power conferred on them by the lease of said ferries.

The ferry franchises of our city are among its most important rights and property. Eventually these ferries must prove a source of no inconsiderable revenue to our City Treasury, even at the lowest rates of ferriage. The Union Ferry Company, of Brooklyn, now holds a lease for three ferries running to that city—the Fulton, Hamilton and South Ferries—for which an annual rent of thirty-five thousand dollars is paid to the city, while the ferriage is only one cent for foot passengers. We believe that a ferry, properly conducted, affording every facility demanded, at low rates of ferriage, will be found the most profitable to the stockholders, as well as satisfactory to the people who use them. Believing this, and being satisfied of

the necessity in the ease before them, your Committee herewith submit a draft of regulations, and a revised schedule of ferriage for the Williamsburgh ferries, which they believe to be just and proper, and which they would recommend for adoption. They conceive that it is of the highest importance that the city of New York should promptly remedy any abuse that may be found to exist in the management of any of the ferries, under the control of the city authorities, as it is to them alone that the people can look for redress. So far, our city has guarded this interest with the most watchful and jealous care, as we trust its authorized representatives ever will. New York holds in her hands a monopoly of the ferries over the rivers on her borders, and should, therefore, see that no wrong is done in her name. While it is proper that we should protect the rights and interests of the individuals or companies to whom we lease our ferries, we must also see that they furnish proper facilities at reasonable prices. It is alike our interest and our duty to see that our ferries are properly conducted.

The material, and most important changes we propose on the ferries of the Williamsburgh Ferry Company, are the employment of more boats, more hands, and a reduction of the rates of ferriage, from *four* to *three* cents, on Peck Slip Ferry, and from *three* to *two* cents on the other two ferries. When we look at the increase of population and business since the date of the lease for these ferries, we do not think the company can justly complain, that we ask them to place one more boat on Peck Slip Ferry than the original lease required them to run, and to keep a proper boat in reserve for emergencies. The safety of life, and the expeditious working

of the ferries requires that there should be more hands employed than are now on said ferries. As to the reduction of ferriage, we believe that this step will be alike beneficial to the people and the company. At all events, it is not so great as the increase of business and population would seem to demand. Still your Committee have thought it best, only to recommend a slight reduction now, leaving to the company or our successors, to still further reduce it, if it is found on trial, to work as well as we have every reason to anticipate.

Accompanying this report, your Committee beg to submit the following resolutions and accompanying rules and rates of ferriage for adoption, believing that if they are adopted and carried out, that we shall have no more complaints in reference to the Williamsburgh Ferries, under the management of the company now holding the leases of the three ferries, above alluded to.

All of which is respectfully submitted,

PETER P. VOORHIS, } *Committee on*
A. J. WILLIAMSON, } *Ferries*

Resolved, That the lessees of the ferries now running from Peek slip to South Seventh street, Williamsburgh; from Grand street, to South Seventh street, Williamsburgh, and also to Grand street, Williamsburgh, be, and they are hereby directed to conform to the rules and regulations, and rates of ferriage herunto annexed, from and after the first day of May, one thousand eight hundred and fifty-four, which rules and regulations, and rates of ferriage shall be, and remain in full force, until such time as the Mayor, Aldermen and Commonalty of the city of New York shall deem it expedient to still further modify the same, by

virtue of the power conferred on them by the several leases under which the said Williamsburgh Ferries were granted to the persons now running said ferries : Provided, that nothing herein contained shall be construed into a release on the part of the Mayor, Aldermen and Commonalty of the city of New York, of any of the obligations or liabilities of the said lessees, under said leases, for the above-mentioned ferries.

(A)

ADDITIONAL RULES AND REGULATIONS, *ordained by the Mayor, Aldermen and Commonalty of the city of New York, for the better management of the ferries running from Peck slip, New York, to South Seventh street, Williamsburgh; from Grand street, New York, to South Seventh street, Williamsburgh, and to Grand street, Williamsburgh.*

It is hereby directed that the lessees of the Peck Slip Ferry shall run four boats, from six o'clock till ten in the morning, and from four o'clock till eight in the evening, of every day in the week; from ten o'clock in the forenoon till four o'clock in the afternoon, three boats shall be kept constantly plying to and fro, with as little delay as possible; from eight o'clock in the evening till twelve at night, and from four till six o'clock in the morning, two boats shall be kept running on said ferry; from twelve o'clock at night till four in the morning, one boat shall be kept running on said ferry. Five steam ferry-boats, equal in size, power and capacity to the "Oneota," "Niagara," and "Onalaska," now used on said Peck Slip Ferry, shall be furnished and kept for the use of said ferry by the lessees. It shall be the duty of the lessees to furnish one

able-bodied man to the bridge at each slip, to assist in fastening the boats as they come in; also, to keep two men on each boat as deck hands, one of whom shall assist in fastening such boats on their arrival at the slips. They shall, also, see that the boats are kept clean, and properly ventilated and lighted, and preserve order, and protect such passengers as may cross on the said ferry-boats.

It is further directed, that the lessees of the ferry running from Grand street, New York, to Grand street, Williamsburgh, shall employ one man on each of the bridges of said ferry, to assist in fastening the boats on their arrival, in addition to the deck hands employed on the boats used on said ferry. They are also directed to keep their said ferry boats clean, well ventilated, properly lighted, and to employ such assistance as may be necessary to preserve order and protect the passengers crossing such ferry.

It is further directed, that the lessees of the ferry running from Grand street, New York, to South Seventh street, Williamsburgh, shall keep two boats running on said ferry, from six o'clock in the morning till eight o'clock at night, and one boat, from eight o'clock till half-past twelve every night, for the accommodation of passengers, and be, in all respects, subject to the same regulations as the Grand Street Ferry.

The lessees of these several ferries are also directed to supply all the boats used on said ferries with life-boats, and such other articles as may be necessary for the safety of the lives of passengers, the same as are now kept on all the boats used on the Fulton ferry, running to Brooklyn.

(B)

A SCHEDULE OF THE RATES OF FERRIAGE, *to be charged on the ferries of the Williamsburgh Ferry Company, running from Peck slip, New York, to South Seventh street, Williamsburgh, from Grand street, New York, to South Seventh street, Williamsburgh; and from Grand street, New York, to Grand street, Williamsburgh.*

RATES OF FERRIAGE FOR FOOT PASSENGERS.

| | |
|---|-------|
| On Peck Slip Ferry, for a single passenger.....§ | 03 |
| “ Grand street, to South Seventh street ferry, for a single passenger..... | 02 |
| “ Grand street, to Grand street ferry, for a single passenger..... | 2 |
| Commutation for foot passengers, which shall include the privilege of crossing all three of the before-mentioned ferries, per year..... | 10 00 |
| All females and boys, under seventeen, to be allowed to commute for the same privilege, at the yearly rate of..... | 6 50 |
| (Commuters to be allowed the privilege of paying quarterly at the above rates.) | |

RATES OF FERRIAGE ON HORSES, CARTS, &c.,

which shall be paid on either of the above ferries :

| | |
|--|----|
| For man and horse..... | 10 |
| “ one-horse pleasure-carriage, with two persons.. | 20 |
| “ “ gig or sulky, “ “ .. | 20 |
| “ two-horse pleasure-carriage, with five persons and driver..... | 25 |

| | |
|---|------|
| For one-horse wagon, loaded, with two persons.....\$ | 20 |
| “ “ light, “ “ | 15 |
| “ two-horse wagon, loaded with hay or straw... | 40 |
| “ every live steer, ox or cow..... | 10 |
| “ “ hog, shcep or calf, not forming part of a wagon load..... | 04 |
| “ “ 100 lbs. of fresh beef, pork, mutton, iron, butter, cheese, or any other ar- ticle placed on board any of the ferry boats of the company, to be carried across the river, a charge shall be made of..... | 04 |
| “ “ barrel of cider, flour, liquors, or any other articles in barrels, each..... | 04 |
| All milk wagons, with one horse, shall be allowed to commute monthly, by paying for such privilege. | 4 00 |
| All other articles not enumerated, shall be charged in proportion to the above rates. | |

MAYOR'S OFFICE, NEW YORK, }
February 6, 1854. }

To the Hon. the Common Council:

GENTLEMEN :—I transmit herewith a series of resolutions, passed by the Board of Aldermen, of the city of Williamsburgh, with reference to the management of the ferries between the two cities.

The subject is one of importance to residents in New York, as well as in Williamsburgh, and will, I doubt not, receive prompt attention at your hands.

JACOB A. WESTERVELT, *Mayor.*

CITY CLERK'S OFFICE, WILLIAMSBURGH, }
January 28, 1854. }

At a meeting of the Common Council of the city of Williamsburgh, held on the 24th of January, 1854, the following preamble and resolutions were adopted :

Whereas, The accommodations furnished to the residents of this city, by the Williamsburgh Ferry Company, are not such as their convenience, comfort, or safety require, and the delays occasioned thereby are much to the detriment of the prosperity of our tradesmen; and

Whereas, The rates of fare are exorbitant for the meagre accommodations furnished, and the entire management of the ferries running to this city are such as to require immediate change; therefore

Resolved, That the Common Council respectfully request the Mayor and Common Council of the city of New York to cause investigation to be made as to the management of the Williamsburgh ferries, and to recommend such action in the premises as they may deem best for the removal of the abuses complained of.

Resolved, That a Committee of three be appointed by this Board, to urge the matter upon the consideration of the Mayor and Common Council of the city of New York.

Resolved, That the City Clerks transmit certified copies of the preceding preamble and resolutions to the Mayor and Common Council of the city of New York.

Messrs. Nesbitt, Willmarth and Pink were therefore appointed such Committee.

I certify the above to be a true copy.

WM. G. BISHOP,

City Clerk.

*To the Honorable the Common Council
of the city of New York:*

The Directors of the Williamsburgh Ferry Company having learned, from the public prints, that application has been made to your Honorable Body, to investigate the management of the Williamsburgh ferries, respectfully join in the application, and invite the closest scrutiny into the state and condition of the ferries. They are prepared to show that the complaints made to your Honorable Body have originated with certain parties from interested motives, and are not founded on facts or justice.

The company claim, and distinctly state, that their boats are all new, and of the first class, having been approved by the Ferry Committees of both Boards of the Common Council, as answering fully the requirements of their lease.

The three Peck slip boats are each one hundred and forty-two feet long; the three Grand street and Division avenue boats are each one hundred and twenty feet long; and the two spare boats, intended for either ferry in case of need, are each one hundred and twenty-five feet long.

On the Peck Slip Ferry, three boats are run from six o'clock A. M., to seven o'clock P. M., and two boats all night. During the day, these boats are not allowed to remain in the slip any longer than is necessary to unload and reload; and this is made certain by making the closing of the large gate the signal for starting, instead of a bell, a man being stationed at each bridge to prevent persons from falling into the water, and to assist the deck hands in winding up and letting go the chains. The long distance (nearly two miles) run on this ferry, and the delays

and interruptions caused by crossing the tracks of three other ferries, determined the company to put on a fourth boat, which was done last summer, and run for several months. But a succession of unavoidable, serious, and expensive accidents, have rendered it necessary to use both the spare boats in place of those disabled, and for several weeks past it has been found impossible to run more than three boats to Peek slip. In fact, to do this, the directors acknowledge themselves indebted to the kindness of a neighboring company, more fortunate than themselves, for the use of a boat for several days.

As the winter is now nearly past, and with it the ice, and the constant delays and accidents resulting from it, it is intended, as soon as they can be got ready, to place four boats again on the Peek Slip Ferry; and as another large boat will be immediately built, it is hoped that that number may be steadily continued. But, at the same time, it is to be borne in mind, that the Peek Slip Ferry is, without exception, the most difficult of navigation, on account of tides, other ferries, and the great amount of shipping, as well as the most expensive in fuel, and wear and tear of boats, in the world; and no reasonable person, with a day's experience, will believe it possible to run boats on this ferry with the accuracy of clock work, or to avoid occasional, and even frequent delays, that will try the patience of passengers. A very brief experience settles the fact, that on such a ferry, four boats can do very little more than three; and that, with four boats, it will not be at all uncommon to have all four boats together at one end of the ferry, while a ship or a steamer blocks the entrance to and exit from the slip.

In regard to the cleanliness of the boats, the directors admit that there has been some cause of complaint. The open winter, and consequent muddy streets, have rendered it almost impossible to keep the boats clean; and the Common Council of Williamsburgh have changed the grade of the streets at the Peck Slip Ferry, so as to turn the wash of South Seventh street down upon the ferry bridges, deluging them with mud, which is necessarily carried into the cabins of the boats by the crowds of foot passengers.

The company have in vain applied for relief in this matter, and have been compelled to commence suit against the authorities of Williamsburgh, for this injury, which is constant and increasing, and from which such great complaints have arisen on the part of that corporation and others. In the mean time, the company will place a chambermaid on each boat, and hope in this way to keep the boats in good and comfortable condition.

The company desire to be understood as inviting a strict investigation into their management. They believe and assert, that their ferries are far in advance of the requirements of their lease, and are as well conducted as ferries can be in the same locations.

It has been brought to the attention of the company, that a rumor has gone out, with the authority of some of the newspapers, to the effect that this company have bought a lease of a new ferry to Williamsburgh, for the purpose of preserving a monopoly of the ferries. The company take this opportunity to deny this statement entirely. Some eighteen months ago, a lease of such a ferry was

made by your Honorable Body, to persons who have since made various efforts to put it in operation. Subscriptions to the capital stock were invited, and a float and bridge partially constructed; and pending these attempts, repeated offers were made to this company, by persons professing to have authority, to sell out the lease to them. They have uniformly refused to have any thing to do with it, being satisfied that it would be a worthless ferry, and a valueless stock, and they have not purchased, nor do they desire to purchase, a dollar's worth of interest in it.

The company intend to manage their ferries in strict compliance with their contract in taking them, and with a full understanding that the best ferry they can run will be the best for their shareholders; and they will not permit themselves to be driven into buying off oppositions by any of the false accusations which have been framed against them before your Honorable Body.

By order of the Board,

WILLIAM LAYTIN,

President.

Dated February 24, 1854.

CITY CLERK'S OFFICE, WILLIAMSBURGH, }
January 28, 1854. }

At a meeting of the Board of Aldermen of the city of Williamsburgh, held January 24, 1854, the following preamble and resolutions were adopted :

Whereas, The accommodations furnished to the residents of this city by the Williamsburgh Ferry Company, are not such as their convenience, comfort or safety require,

and the delays occasioned thereby are much to the detriment of the prosperity of our tradesmen ; and

Whereas, The rates of fare are exorbitant for the meagre accommodations furnished, and the entire management of the ferries running to this city are such as to require immediate change ; therefore

Resolved, That the Common Council respectfully request the Mayor and Common Council of the city of New York to cause investigation to be made, as to the management of the Williamsburgh ferries, and to recommend such action in the premises as they may deem best, for the removal of the abuses complained of.

Resolved, That a Committee of three be appointed by this Board, to urge the matter upon the consideration of the Mayor and Common Council of the city of New York.

Resolved, That the City Clerk transmit certified copies of the preceding preamble and resolutions to the Mayor and Common Council of the city of New York.

Messrs. Nesbitt, Willmarth and Pink were thereupon appointed such Committee.

I certify the above to be a correct copy.

WM. G. BISHOP,
City Clerk.

TO THE FERRY COMMITTEE OF THE BOARD OF ALDERMEN
OF THE CITY OF NEW YORK.

We, the undersigned the People's Committee, do prefer the following charges and specifications against the Williamsburgh Ferry Company, to wit :

CHARGE I. That said ferry company have not daily run *three* boats upon Peck slip ferry, as prescribed by the charter.

Specification 1. In that they repeatedly run but two boats upon said ferry, from, or between sunrise and sunset.

Specification 2. In that they are unsafe for the transportation of passengers and freight.

Specification 3. In that all the boats are not in all respects equal to the *model boat Wyandank*.

Specification 4. In that in several of the boats there is no passage way between the cabins on the gentlemen's side, which causes much inconvenience, and enhances the danger in case of accident.

CHARGE II. That the said company do not run their boats every ten minutes, as specified by the charter.

Specification 1. In that the starting time from either side or landing for the last five years, has been from twenty to thirty minutes.

Specification 2. In that the average running time from bridge to bridge, is fifteen minutes, and frequently extends from twenty to forty minutes, when there is nothing to obstruct.

CHARGE III. The *filthy* condition of the *boats*.

Specification 1. In that they are not swept, and washed as thoroughly and often as is compatible with comfort and cleanliness.

Specification 2. In that they are not sufficiently ventilated.

Specification 3. In that the temperature of the cabins of the boats is not well regulated, and in some of them there are no heaters.

Specification 4. In that the decks are not kept free from ice and snow in winter, and from dust and dirt the rest of the year.

CHARGE IV. Mismanagement of the boats.

Specification 1. In that there is no police regulation.

Specification 2. In that there is only one man employed to let down the chains, pin the rudder, and fasten the boat to the bridge, on each boat.

Specification 3. In that the pilots of said boats are frequently guilty of reckless conduct, thereby causing collisions with other boats, to the eminent risk of life.

CHARGE V. That the bridges are not sufficiently lighted at night, for the safety of passengers.

Specification 1. In that human life has been recently lost on this account, upon several occasions.

Specification 2. In that recently the life of Mr. Townsend was lost on this account, and that the ferry company were censured by the coroner's jury, in their verdict, for the same.

The Committee are of an opinion, that the foregoing charges are sufficient to cause a revocation of the charter of the Williamsburgh Ferry Company, and would beg

leave to call your attention to the fact that when the charter was given to said company, that the population of Williamsburgh was but some twenty thousand, and has increased to, at present time, fifty thousand, and our ferry facilities are no better than they were five years since; and would humbly pray that your Committee will present his Honor the Mayor, and the Honorable the Common Council of New York, the above, at your earliest convenience.

By order of the Committee.

S. WATERMAN, *Chairman.*

RICHARD M. COIT, *Secretary.*

DOCUMENT No. 31.

BOARD OF ALDERMEN,

MARCH 22, 1854.

The following communication from the Chief Engineer, in reply to resolution relative to using steam fire engines, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

CINCINNATI, March 15, 1854.

MR. GEO. W. SOUTHWICK,

DEAR SIR :—Yours of the 8th inst., addressed to Messrs. Burdsalls, was handed to me, and I embrace the first leisure moment to reply.

The success of steam fire engines is no longer a matter of speculation; thus efficiency and reliability is established beyond a doubt. The one now in use in this city, is the first made by Mr. A. B. Latter, and, I believe, the first successful effort by any one. The great difficulty to be overcome in the practical application of steam to fire engines, was the length of time required to get up steam; but Mr. Latter's improvement in the boilers has obviated

that difficulty. Steam can be raised in from five to seven minutes. Our steam fire engine combines two machines, not necessarily united by that of a fire engine and locomotive, and he succeeded in accomplishing both; but the room required for the two make the machine bulky, and the necessary machinery makes it very heavy.

Although we have locomotive machinery and power, the *Bull of the Wood* is drawn by horses, finding it more convenient; and the steam engine *Bull of the Wood* is at the fire, and ready for operation, about as soon as the old hand engine, although they are also drawn by horses; and I do not know that distance would make any difference.

The power and capability of the best manned labor engines bear a comparison with the *efficiency and reliability* of the steam engine. Men will tire, and when water is most needed, and be most efficacious in stopping the progress of a fire, the supply is stopped, or checked, by a change of hands, or by thus being too much exhausted to continue operation; not so with steam, so long as fuel and water is supplied, the flow of water is strong and uninterrupted; and the force and size of either of the streams thrown is much greater than can be thrown by the most powerful hand engine.

The papers published a report of the performance of the steam fire engine, exhibited at the time, and for examination of the committee from Louisville; and again, when the committee from Boston were here, and believing that they embody information that will be as satisfactory as any thing that I could write, I inclose them, and by this mail forward my report of expenses, &c., of the Fire Depart-

ment, for the first six months of the "paying" system, by which you will get all the specific expenses of the department.

I should be pleased to see a committee of your City Council, and I am sure, that on witnessing the performance of the *Bull of the Wood*, that they would not hesitate to adopt the steam fire engine, to the entire exclusion of all engines worked by hand.

Mr. Latter is building a machine more compact, and of less weight. To secure the use of this engine for the department, I have raised the necessary sum, ten thousand dollars, from the insurance offices and merchants.

With much respect,

M. GREENWOOD,
Chief Engineer.

P. S.—The engine named above will be finished about the 1st of May, and if you would prefer waiting until that is ready for operation, I will inform you when it is ready. Last night our city council ordered another, which will give three steam fire engines.

TRIAL OF THE STEAM FIRE ENGINE.

Yesterday morning J. M. Delph, Aldermen C. L. Stancliff, W. Atkinson, Councilmen Colonel Atwood, member of the Board of Underwriters, and Colonel Anderson, W. Kaye, and P. Kampion, members of the fire department, arrived in our city from Louisville, to witness a trial of the new steam fire engine.

The Chief Engineer, Mr. Greenwood, ordered the steam engine to be brought out, and the following is the result of the trial:

She left the engine house, near the corner of Eight and Western row, at precisely half-past two o'clock, and was run to the corner of Sixth and Vine streets, six squares, in five minutes and a half. The steam was up in four and a half minutes after the torch was applied. In sixteen and a half minutes from the time they commenced hitching the horses to the machine, the water was through two lines of hose eight hundred feet in length, and throwing two streams about sixty feet, through inch and a quarter nozzles. In twenty-two minutes, she was throwing two streams on the top of the Mechanics' Institute building, one hundred and ten feet perpendicularly. Trials were then had of one, two, three, four and five lines of hose, all of which proved very successfully the merits of the engine. A line of hose was also run into a house near by, and in a few seconds the building was filled with steam. After testing the machine in every possible way, the Louisville delegation expressed themselves highly pleased, and all concurred in saying that the steam fire engine was the greatest invention for extinguishing fires that they ever witnessed. The committee inform us, that they will immediately, upon their return home, recommend the purchase of one of these engines for their city. They will return home to-day.

THE COMMITTEE FROM BOSTON AND THE STEAM FIRE ENGINE.—As we have before announced, the Committee from Boston arrived in our city Saturday night, and on Sunday they visited many of our churches, and the suburbs of our

city. On yesterday (Monday) morning, the delegation, in company with Mayor Snelbaker, and several members of Council, visited the city offices, watch and Station houses, and several of the largest foundries and factories of our city. At three o'clock in the afternoon, they met at the steam fire engine house to witness the experiment of the celebrated machine, which has caused such a *furore* in every city in America. It being known that the trial of the engine was to take place, a large crowd of our own citizens collected at the engine house, and much interest was manifested.

By order of the Chief Fire Engineer, Mr. Greenwood, the horses were hitched and a fire was started under the boiler, at twenty-six minutes to three o'clock. In six and a half minutes the steam was raised, and in fifteen minutes the engine was on the corner of Sixth and Vine streets, a distance of six squares from the engine house—equal to one half mile. In nineteen minutes from the time the order was given to hitch up the horses the water was forced through a line of six hundred feet of hose, throwing a stream one hundred and twelve feet perpendicular. In twenty-one minutes, two streams were thrown through two lines of six hundred feet of hose, one hundred and eight feet, and through an inch and a quarter nozzle. In thirty minutes, the same streams were thrown through inch and a half nozzles, on the top of a five story and an attic building. Three, four, five and six streams were then thrown through three-quarter nozzles on top of three and four story buildings, and the merits of the engine were tested in every possible manner. The test of filling a building with steam, to extinguish fire, and prevent damage by water, was tried, and proved very successful, and

the delegation expressed themselves greatly pleased with the "Bull of the Woods," and unanimously agreed that she was one of the greatest inventions of the age. The engine was taken home, and the Committee visited the works of Latter & Co., where the new steam fire engine is building, and there learned the principles on which the engine is built, and satisfied themselves that the machine is every thing her manufacturers represent her to be.

In the evening Mr. Greenwood exhibited, near the Burnet House, the red light signal, used to designate the location of fire when confined in buildings. The exhibition gave great satisfaction to the Committee.

By invitation the delegation will leave to-day on the splendid steamer Jacob Strader, for Louisville, and return on Thursday morning, on which trip they can obtain a view of the great valley of Ohio and the "City of the Falls." On their return they will visit the public institutions of our city—such as the House of Refuge, City Infirmary and Water Cure Establishment; also, more of our suburbs, Covington, Newport, Walnut Hills, Mount Auburn, &c. They will return to the city of notions about the first of next week.

Since writing the above, we learn that the great Daguerrean artist, Faris, has taken a number of Daguerreotypes of the steam fire engine, and each member of the Boston delegation has been furnished with a copy to take home, that the citizens may have an idea of the appearance of the machine. Copies have also been sent to New York, New Orleans and other cities.

To the Board of Aldermen:

GENTLEMEN:—The Chief Engineer of the Fire Department in replying to the following resolution, viz :

Resolved, That the Chief Engineer of the Fire Department, report to this Board, with all convenient speed, the expediency and propriety of using steam power to work engines in extinguishing fires in the city of New York, respectfully

REPORTS :

That he entertains favorable views as to the propriety of introducing steam power to work fire engines, and intended to call the attention of your Honorable Body to the subject; also, to extend you an invitation to witness an exhibition of the power of one on its way to a sister city, (the owners having in a measure promised to bring it through, and exhibit the same in this city); I, therefore, delayed bringing the subject before you until I could be positive as to the precise time it would be here; for the same reason I have delayed a few days an answer to your resolution.

I am now informed that it has been purchased by parties in the vicinity of the place in which it was built; consequently, it will not be brought here.

About the year 1841, a steam engine was built by the insurance companies of this city, and used to extinguish fires in the lower districts, (now the seventh and eighth).

This engine was very heavy, weighing, I think, some seven or eight tons, and was brought into effective use, I think, but two or three times. In addition to its great weight, there were other objections to it, as it took some-

thing like half an hour to get it in operation after reaching the fire, (although the builder claimed he could set it to work in ten minutes,) and almost invariably some part of the machinery broke soon after being set in motion. After a few months, its use was given up.

It is but justice to say that the employment of steam fire engines was at this time very unpopular, and that, while many were disposed to cry down the project, but few would advocate its use, or render assistance, or even give the experiment their approbation, or, doubtless, improvements would have been made to render the engine very useful, and, perhaps, been the means of having others built, with such improvement as time and experience might suggest.

One is now used in Cincinnati, which I understand is much lighter, weighing not more than four or five tons.

One of this weight could be drawn quite rapidly by four horses; but, as we experience considerable difficulty in getting our present engines through the streets when a deep snow has fallen, we must expect still more in doubling the weight of them.

Some, not familiar with a firemen's duty, think that by using horses this difficulty would be overcome. This is an error; as experience has shown us that companies seldom fail to get their apparatus to fires by some means or other, whilst it is extremely difficult to induce the owner of a team to draw one when there is a deep snow on the ground.

The Cincinnatians also claim, that their engine will be ready for working—that is, will have steam up—in the

short space of seven minutes. If this is so, and they have reduced the weight, as above stated, they have overcome a great fault in the one tried here.

The style of this one would, therefore, be preferable to the one used here; but I am under the impression that the weight can be still further reduced, and that one can be built, of sufficient power, much lighter.

In order, (provided your Honorable Body should think proper to obtain one or more) I would propose that a premium of a moderate sum be offered to the person or persons who should submit the most approved plans and specifications for building a steam fire engine.

In order to be sufficiently strong in its running and working qualities, a steam fire engine must necessarily be heavy; and, if built as light as possible, should not be run out at every alarm. This, however, can be obviated, by a plan or system something similar to the following:

Employ, say, four men, (two, of course, to be good practical engineers) to each engine; also, organize a company of ten or fifteen men to each engine; the engineers to have exclusive charge of the machinery; the one on duty to light the fire in his furnace whenever an alarm is given for the seventh or eighth district, and remain at his post to await orders.

The other men employed to take charge of, and drive the horses, keep the apparatus clean, &c.; not more than one of the four men to absent themselves from the engine house, unless a competent person is left in the place of

each absentee; one of the drivers always to attend fires in the seventh and eighth districts, and remain until he may see the engineer in charge, or one of the company.

The duty of the company to be, to attend all fires in the seventh and eighth districts, and report themselves to the engineer in charge, and to act under his directions.

In case their engine is brought into service, to manage the pipe and hose thereof; the company to receive no remuneration, but to be entitled to the same privilege as other members of the Fire Department.

The engineer in charge of the fire, unless he is *positive* the services of the steamer will not be required, will, in all cases, direct it brought to the fire; but neither the company, or the men employed, to be allowed to bring it, unless directed by said engineer.

Before, however, providing steam or other engines, larger than those we now have, it is very necessary that we adopt some plan to obtain a sufficient supply of water, as at present the quantity is inadequate to supply the present ones. If nothing is to be done at the High Bridge for some time to come, let some other plan be adopted. A most excellent one is now before your Honorable Body, proposed by Alderman Blunt, viz: to make arrangements with the various ferry companies, to arrange facilities on their boats for throwing river water. The expense could not be very great, compared with the advantages to be gained thereby; and, I have no doubt, (if they were consulted in the matter) that the adjacent cities, to which they ply, would be willing to pay a large proportion of the expense.

The advantages to the shipping in the harbor would be almost incalculable in case of their taking fire, either in the stream or at the docks, as they could be removed from the vicinity of other shipping without being cast adrift beyond the hope of being saved; as the ferry boat, by her propelling power, would be enabled to take and hold the burning vessel in such position as was thought proper, and, at the same time, do all that was possible to extinguish the fire.

They could also be of great service at fires in the vicinity of the river, particularly to the warehouses at Atlantic dock, and others similarly situated.

The project is one I would recommend to your favorable consideration.

All of which is respectfully submitted,

ALFRED CARSON,

Chief Engineer.

CHIEF ENGINEER'S OFFICE, }
March 22, 1854. }



DOCUMENT No. 32.

BOARD OF ALDERMEN,

MARCH 22, 1854.

The following majority and minority reports of the Committee on Streets, in relation to the matter contained in Document No. 16, of this Board, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Streets, to whom was referred the communication of the Comptroller, relative to the contract for paving the Bowery, respectfully

REPORT :

The Comptroller has transmitted to the Common Council an instrument, signed by Messrs. Russ & Reid, relative to the Bowery paving contract, in the following terms:

“ At the request of the Comptroller of the city of New York, and in consideration of the sum of one dollar, the receipt whereof is hereby acknowledged; we, the undersigned, do hereby surrender the within contract, and release the Mayor, Aldermen and Commonalty of the city

of New York from all claims and demands thereunder; provided that, if the release is not accepted by the Common Council of said city, and the undersigned released on their part by the Mayor, Aldermen and Commonalty of the city of New York, in like manner, this paper is to be wholly void and of no effect.

"In witness whereof, the undersigned have set their hands and seals, this 5th day of January, 1854.

"HORACE P. RUSS,

"GEO. W. REID.

"Witness,

"PETER B. SWEENEY."

Although the Comptroller's communication does not suggest what action, if any, should be taken upon the instrument; yet, from an examination of its provisions, it will be seen that, without the sanction of the Common Council, it will be nugatory. It therefore becomes the duty of the Common Council to say, what validity shall be given to it. The circumstances under which Messrs. Russ & Reid came to sign the paper, are these: Upon the decision of the Supreme Court in favor of Messrs. Russ & Reid, upon their application for a mandamus, to compel the payment, by the Comptroller, of the arrears due on their contract; the Comptroller announced that he should require them to sign an instrument, surrendering their contract, before complying with the direction of the Court—and that, in the event of their refusal to do so, he would take an appeal to the Court of Appeals.

Messrs. Russ & Reid yielded to the demand of the Comptroller, not voluntarily, but under the pressure of

pecuniary engagements, that had been incurred in the expectation of their receiving payment.

The proceeding of the Comptroller must, therefore, be regarded as coercion, as far as the rights of Messrs. Russ & Reid are concerned.

Your Committee do not feel that assurance of the propriety of the proceeding, which would justify their recommending the ratification of the surrender. They would be loth to take advantage of the circumstance, that Messrs. Russ & Reid have thrown themselves upon the clemency of the Common Council, to prejudice their position.

It is by no means clear, to your Committee, that the contract with Russ & Reid is invalid. If it is so, it is for reasons of a purely technical nature, such as a great corporation should hesitate to assert, in order to throw off the obligations it has assumed. On this subject, your Committee intend to express no opinion.

But they deem it just that, if Messrs. Russ & Reid have any legal claims growing out of their contract, they should be suffered to assert them in a proper legal form. If the contract is held void, they will not be permitted to complete it; if, on the other hand, it is legal, it would be an act of the highest injustice for the city government to cause a surrender of their rights by withholding payments for work actually done by them, and in the advantages of which the city are already in the enjoyment.

Your Committee are not apprised that there is any objection, on the part of those most nearly affected by the improvement in question, to its completion. No remon-

strance against its further prosecution has been presented, and no complaint made. It was originally undertaken in accordance with the petitions of most of the persons directly interested in the improvement, and your Committee have no reason to believe that the views of the petitioners have undergone any change. Your Committee do not, therefore, feel at liberty to recommend any abandonment of the original plan of pavement.

Should the Common Council at any time determine, however, that the further prosecution of the work should be abandoned, the contract of Messrs. Russ & Reid would offer no obstacle to such a course, if it is, or has been, contended invalid. They would, in that case, have no claim for compensation. If, on the other hand, the work ought to be continued, your Committee have no ground of assurance, in view of the enhanced value of labor and materials, that it can be done for a less sum, or even for the present price of Messrs. Russ & Reid's contract.

Under the circumstances, your Committee see no just ground of interfering to prevent Messrs. Russ & Reid from having a final adjudication in the Courts upon the validity of their contract, which should be cut off by compelling its surrender.

They therefore ask to be discharged from the further consideration of the portion of the Comptroller's report, referred to them, as above.

W. B. DRAKE, } *Committee*
J. W. BROWN, } *on Streets.*

MINORITY REPORT.

Your Committee would respectfully report, that they have examined the matter referred to them respecting the contract with Messrs. Russ & Reid, for paving Chatham street and the Bowery, with the Russ pavement. It will be seen by the annexed document, they surrendered their contract to the Comptroller, on condition that the Common Council accept the same, and it will also be seen that Messrs. Russ & Reid were paid for all work done up to that time; and your Committee think that the contract was given out, to the dissatisfaction of the tax payers, by the late Common Council, as will appear in the annexed document.

Resolved, That the Common Council accept the surrender of the contract made by Russ & Reid with them, for the paving of Chatham street and the Bowery, and thereby release the Mayor, Aldermen and Commonalty of the city of New York, from all claims and demands thereunder, and thereby releasing Horace P. Russ and George W. Reid, from all claims and demands made of them, under the aforesaid contract.

ORISON BLUNT, } *Committee on
Streets.*

The Paving Contract of Russ and Reid.

Two of the tax payers of the city applied for, and obtained an injunction before one of the judges of the Supreme Court, restraining Russ & Reid from executing a contract for paving Chatham street and the Bowery. The contractors brought the matter to a hearing before Judge Edmonds, and he dissolved the injunction ; they then laid down one thousand yards of the pavement, and presented an account and requisition to the Comptroller for payment. In the mean time, the tax payers had appealed from the decision of Judge Edmonds, and their attorneys served a notice on the Comptroller and Chamberlain, which, after giving the title of the cause, and stating the fact, that an appeal had been taken to the Supreme Court, closes as follows :

“ You will further take notice, that we intend, on the first Saturday in August next, or as soon thereafter as can be done, to apply, in pursuance of the rules and practice of this Court, for an order, granting leave to the plaintiffs to file their supplemental complaint in this action, setting up the passage of the new charter, relating to the city of New York, and other matters ; and asking also for an injunction to restrain you, the Comptroller of the city of New York, from auditing or paying over to Messrs. Russ & Reid, or either of them, any moneys upon the contract mentioned, and set out in the original complaint in this action, which supplemental complaint is founded upon the provisions of the new charter, forbidding the making of contracts unless upon proper advertisement and estimates, as therein provided.

"And you are hereby notified not to make any payments to the said Russ & Reid, or either of them, upon the contract in the said complaint mentioned.

"Dated, July 29, 1853.

"Yours, &c.,

"POWERS & TALLMADGE,

"*Plaintiffs' Attorneys.*

"To AZARIAH C. FLAGG,

"*Comptroller,*

"or FRANCIS W. EDMONDS,

"*Chamberlain.*"

The Comptroller declined to draw a warrant on the treasury, and Russ & Reid applied for, and obtained a writ of mandamus, to compel him to draw the warrant aforesaid.

The case of the tax payers was argued in November, in presence of the five judges of the Supreme Court, three of whom decided that the original injunction was not improperly granted, but that the order dissolving it was improper, and the injunction was restored and made perpetual.

The mandamus case of Russ & Reid *vs.* A. C. Flagg, was decided by three of the judges; and two of them, Judges Edmonds and Morris, decided that the Comptroller was bound to draw his warrant in favor of Russ & Reid, for the amount due them for the work actually performed under the contract.

After consultation with the Counsel to the Corporation, an arrangement was made to pay Russ & Reid the amount

claimed for the work done, on condition that they would surrender the contract, subject to the approval of the Common Council.

This was done on the 5th instant, and the contract was surrendered to the Comptroller, with an endorsement on it, in the following form :

"At the request of the Comptroller of the city of New York, and in consideration of the sum of one dollar, the receipt whereof is hereby acknowledged ; we the undersigned, do hereby surrender the within contract, and release the Mayor, Aldermen and Commonalty of the city of New York, from all claims and demands thereunder, provided that, if this release is not accepted by the Common Council of said city, and the undersigned released, on their part, by the Mayor, Aldermen and Commonalty of the city of New York, and in like manner, this paper is to be wholly void and of no effect.

"In witness whereof, the undersigned have set their hands and seals, this fifth day of January, 1854.

"HORACE P. RUSS,
"GEO. W. REID.

"Witness, PETER B. SWEENEY."

When this was done the Comptroller gave Russ & Reid a letter, stating that they would be entitled to a warrant on the treasury for the sum of thirty-three thousand dollars, as soon as the annual appropriation was made.

In any course which the Common Council may consider proper to be adopted, it is respectfully suggested that the arrangement for paving Chatham street and the Bowery

should be preceded by a thorough examination of the obligations of the Harlem and other railroads, in regard to the paving of those avenues. In one of the agreements with the Harlem Railroad, that company is obligated to pave the streets in and about the rails, in a satisfactory manner, and keep the width of twenty feet of said paving, including the rails, in good repair at all times. The extent of this obligation should be ascertained, and also whether the Harlem Company will pay the cost of putting down the kind of pavement decided on by the Common Council. The Second and Third Avenue Railroads are also to keep in good condition a portion of the pavement in a part of the same thoroughfare ; and the nature and extent of all these obligations should be ascertained, and the mode of carrying them out should be arranged, before the extent of a contract for paving Chatham street and the Bowery can be based on such "specific and detailed statements" as are required by the seventh section of the charter of 1859.

SPECIFICATION OF DISTANCES OF THE ROADS.

DISTRICT No. 1.

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|----------------|--------------|---------------------|-----------------------------|
| 10th avenue | ..143d st. | ..174th st. | 1 54.. | |
| 8th " |125th st. | ..McComb's.. | | |
| | | Dam, 1 | 54.. | |
| 7th " |125th st. | ..129th st. | 0 22.. | |
| 6th " |125th st. | ..129th st. | 0 22.. | |
| 5th " |125th st. | ..135th st. | 0 52.. | |
| 4th " |125th st. | ..133d st. | 0 41.. | |
| 3d " |125th st. | ..130th st. | 0 28.. | |
| 125th Street | ...E. riv. | ..Manht.st. | 1 35.. | |
| 126th " |2d av... | ..8th av... | 0 90.. | Ex. of $\frac{1}{2}$ block, |
| 127th " |2d av... | ..7th av... | 0 78.. | not opened. |
| 128th " |E. riv... | ..5th av... | 0 44.. | |
| 129th " |K. B. rd. | ..H. riv... | 0 26.. | |
| 130th " | .... | " " | 0 25.. | |
| 130th " |4th av... | ..5th av... | 0 17.. | |
| 132d " |4th av... | ..5th av... | 0 17.. | |
| 152d " |10th av... | ..H. riv... | 0 33.. | |
| 155th " |K. B. rd. | ..H. riv... | 0 45.. | |
| 158th " |10th av. | ..H. riv... | 0 40.. | |
| 173d " |K. B. rd | ..H. bridge | 0 35.. | |
| Manhattan st. | ...125th st. | ..H. riv... | 0 49.. | |
| Lawrence st. |126th st. | ..129th st. | 0 29.. | |
| Kn'gsbridge rd. | 125th st. | ..K'gs b'g. | 5 34.. | |
| Old post road. | ...137th st. | ..147th st. | 0 57.. | |

 17 27..Total miles.

DISTRICT No. 2.

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|---------------|-----------|---------------------|------------------|
| 10th avenue | ..42d st... | 86th st.. | 2 08.. | Ex. of 3 blocks, |
| 9th " |45th st.. | B'way... | 0 96 | now paved. |
| 8th " |51st st.. | 125th st. | 3 72.. | |
| 7th " |46th st.. | 52d st... | 0 30.. | |
| 7th " |116th st. | 125th st. | 0 45.. | |
| 42d street |7th av.. | 8th av... | 0 15.. | |
| 43d " |7th av.. | 8th av... | 0 15.. | |
| 44th " |7th av.. | 10th av.. | 0 45.. | |
| 44th " |11th av. | H. riv... | 0 27.. | |
| 45th " |7th av. | H. riv... | 0 73.. | |
| 46th " |7th av. | H. riv... | 0 70.. | |
| 47th " |7th av. | H. riv... | 0 71.. | |
| 48th " |7th av. | H. riv... | 0 73.. | [now paved. |
| 49th " |7th av. | H. riv... | 0 59.. | Ex. of 1 block, |
| 50th " |7th av. | H. riv... | 0 59.. | Ex. of 1 block, |
| 51st " |B'way.. | H. riv... | 0 74.. | [not opened. |
| 52d " |B'way. | 10th av.. | 0 42.. | |
| 53d " |B'way. | 10th av.. | 0 30.. | |
| 54th " |7th av. | 11th av.. | 0 54.. | Ex. of 1 block, |
| 57th " |7th av. | 8th av... | 0 15.. | [not opened. |
| 59th " |9th av. | H. riv... | 0 38.. | |
| 61st " |7th av. | 8th av... | 0 15.. | |
| 62d " |8th av. | B'way... | 0 09.. | |
| 67th " |10th av. | B'way... | 0 08.. | |
| 68th " |10th av. | B'way... | 0 05.. | |
| 69th " |10th av. | B'way... | 0 03.. | |
| 71st " |7th av.. | B'way... | 0 49.. | |

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|----------------|-----------|---------------------|----------|
| 72d street |8th av.. | B'way... | 0 32.. | |
| 75th " |10th av. | B'way... | 0 04.. | |
| 84th " |7th av.. | 8th av... | 0 15.. | |
| 85th " |7th av.. | 8th av... | 0 15.. | |
| 86th " |7th av.. | B'way... | 0 60.. | |
| 110th " |7th av.. | B'way... | 0 73.. | |
| Broadway, |51st st... | 125th st. | 3 72.. | |
| Apthorp's lane. | 7th av... | B'way... | 0 56.. | |
| Harlem lane... | 116th st. | 121st st. | 0 33.. | |

22 60 Total Miles.

DISTRICT No. 3.

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|---------------|------------|---------------------|---------------------|
| 6th avenue, |42d st... | 57th st... | 0 77.. | |
| 6th " |110th st. | 125th st. | 0 75.. | |
| 5th " |42d st... | 125th st. | 3 97.. | Ex. of 4 blocks, at |
| 3d " |44th st.. | 125th st. | 4 04.. | [Mount Morris. |
| 2d " |42d st... | 123d st. | 4 06.. | |
| 1st " |83d st... | 86th st... | 0 17.. | |
| Avenue A, |79th st.. | 86th st... | 0 38.. | |
| " A, |116th st. | Harl. R. | 0 38.. | |
| " B, |84th st.. | 86th st... | 0 12.. | |
| 42d street |2d av... | 7th av... | 0 81.. | Ex. of 1 blk. pvd. |
| 43d " |3d av... | 5th av... | 0 36.. | |
| 45th " |E. riv... | 7th av... | 0 98.. | |
| 46th " |2d av... | 7th av... | 0 61.. | [not opened. |
| 47th " |2d av... | 7th av... | 0 27.. | Ex. of 3 blocks |

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|---------------|-----------|---------------------|------------------|
| 48th street |E. riv... | 7th av... | 0 54.. | Ex. of 2 do. do. |
| 49th " |E. riv... | 7th av... | 0 77.. | Ex. of 1 do. do. |
| 50th " |2d av... | 5th av... | 0 49.. | |
| 51st " |2d av... | 6th av... | 0 63.. | |
| 52d " |4th av... | 5th av... | 0 17.. | |
| 53d " |E. riv... | 5th av... | 0 71.. | |
| 54th " |1st av... | 7th av... | 0 56.. | Ex. of 2 blocks, |
| 56th " |5th av... | 7th av... | 0 33.. | [not opened. |
| 57th " |E. riv... | 7th av... | 0 45.. | Ex. of 2 do. do. |
| 58th " |Av. A... | 3d av... | 0 35.. | |
| 59th " |2d av... | 3d av. . | 0 12.. | |
| 61st " |E. riv... | 3d av... | 0 38.. | |
| 65th " |1st av... | 3d av... | 0 38.. | |
| 69th " |3d av... | 4th av... | 0 17.. | |
| 70th " |3d av... | 4th av... | 0 17.. | |
| 71st " |3d av... | 7th av... | 0 67.. | |
| 73d " |3d av... | 4th av... | 0 17.. | |
| 79th " |E. riv... | 5th av... | 0 86.. | |
| 80th " |2d av... | 3d av. . | 0 11.. | |
| 81st " |2d av... | 3d av. . | 0 11.. | |
| 82d " |2d av... | 5th av... | 0 48.. | |
| 83d " |Av. A... | 5th av... | 0 70.. | |
| 84th " |Av. B... | 5th av... | 0 86.. | |
| 85th " |Av. B... | 5th av... | 0 86.. | |
| 86th " |E. riv... | 7th av... | 1 24.. | |
| 87th " |3d av... | 5th av... | 0 37.. | |
| 88th " |3d av... | 5th av... | 0 37.. | |
| 90th " |4th av... | 5th av.. | 0 17.. | |
| 92d " |3d av... | 4th av... | 0 17.. | |
| 107th " |2d av... | 3d av. . | 0 11.. | |
| 109th " |3d av... | 5th av... | 0 48.. | |

| Avenues, Streets and Roads. | from | to | Length in Miles. | Remarks. |
|--------------------------------|----------------|------------|---------------------|---------------------|
| 110th street.... | 2d av... | 7th av... | 0 95.. | |
| 111th " |2d av... | 5th av... | 0 48.. | |
| 112th " |2d av... | 4th av... | 0 28.. | |
| 114th " |E riv... | Harl. la.. | 1 08.. | |
| 116th " |Av. A .. | 7th av... | 0 85.. | Ex. of 1 blk. not |
| 117th " |1st av... | 4th av... | 0 41.. | [opened.] |
| 118th " |E. riv... | 3d av. . | 0 48.. | |
| 119th " |E riv... | 4th av. . | 0 65.. | |
| 120th " |E. riv... | 4th av... | 0 62.. | |
| 121st " |E. riv... | 4th av... | 0 59.. | |
| 122d " |E. riv... | 3d av... | 0 39.. | |
| 123d " |2d av... | 7th av... | 0 34.. | Ex. of 2½ blks. not |
| 124th " |4th av... | 7th av... | 0 49.. | [opened.] |
| Old rd's at Harl. bet. | 3d & 4th av... | | 0 44.. | |
| Harlem lane, .. | 5th av... | 116th st.. | 0 53.. | |
| Middle road, .. | 93d st... | 108th st.. | 1 12.. | |
| Apthorp's lane, 7th av... | Middle R. | | 0 35.. | |

41 67.. Total miles.

RECAPITULATION.

District No. 1,.....17 27 miles.

District No. 2,.....22 60 miles.

District No. 3,.....41 67 miles.

81 54 Total miles.

TO CONTRACTORS.

Sealed proposals will be received at the office of the Commissioner of Repairs and Supplies, at No. 1, New City Hall, until December 20th, 1853, at 12 o'clock, M., for keeping in repair all the roads, streets, and avenues that are unpaved in the city of New York, also all drains, culverts, gutters, and bridges, belonging to the Corporation of the city of New York, for the term of one year, as hereinafter described, except that portion of roads and avenues railroad companies are obliged by covenant to keep in repair.

The contractor will be required, in repairing roads, avenues, and streets, to use the very best character of gravel, and where Macadamized roads, avenues, and streets, are found, to use the very best kind of stone, of the law size, and in cases where gutters, culverts, drains, and bridges require repairing, to use the best material, and in case of any dilapidation, where any portion of said gutters, culverts, drains, and bridges may require replacing, the best of material must be used, and the work performed in replacing new work for old, must be done in workmanlike manner. The contractor will also remove all rubbish and refuse material from said roads, &c., as fast as he may cause it to accumulate.

The Commissioner of Repairs and Supplies, reserve the right, that in case of any needless delay, or any delinquency on the part of the contractor, to have the work performed, and deduct the cost of the same from any moneys that may be due said contractor, at the time, or any time thereafter, from the Corporation, in relation to said

work, and if there is not sufficient to cover said expense, then to resort to their securities.

The city will be divided into three districts; denominated the first, second, and third districts.

The first district will comprise all that portion of the city, lying north of One hundred and twenty fifth street, and including One hundred and twenty-fifth street, from the East to the Hudson river.

The second district will comprise all that portion of the city, lying west of Seventh avenue, and including Seventh avenue, to One hundred and twenty-fifth street.

The third district will comprise all that portion of the city lying east of Seventh avenue, to One hundred and twenty-fifth street.

Contractors will estimate for each district separately. Contractors will be required, in their estimates, to furnish securities, who shall, at the time of signing the contract, swear that they are individually worth, in freehold property, double the amount of the bid of said contractor. The successful bidder will be required to sign the contract and furnish his securities within twenty-four hours after it is ascertained. Said contract, however, will be subject to the confirmation of the Common Council, and the approval of his Honor the Mayor. The contractor will be required to commence the work immediately upon the receipt of said confirmation and approval, which will be given him officially from the office of the Commissioner of Repairs and Supplies. The contract to date from the day of such commencement, and to continue in full force for one year, or to the same date in the same month in the

year 1854. The Commissioner also reserves the right to appoint all the inspectors on said work, but at no cost to the contractor. The whole of said work to be under the general supervision of the Superintendent of Roads. The Commissioner of Repairs and Supplies also reserves the right to reject all or any of said estimates, if deemed for the interest of the city.

B. B. PURDY,
Commissioner of Repairs and Supplies.

All information respecting the same, can be obtained by calling at the office of the Commissioner of Repairs and Supplies, No. 1, New City Hall.

Covenants in agreement with different Railroad Companies, in relation to keeping streets in repair, through which their tracks are laid, in the city of New York.

SECOND AVENUE RAILROAD.

"Provided, however, that all the said rails shall be laid down in such manner, and in such parts of the said streets and avenues as shall be approved by the Street Commissioner, so as to cause no impediment to the common and ordinary use of the streets and avenues for all other purposes; and that the water course of the streets shall be left free and unobstructed, and that the said Company shall pave the streets in and about the rails in a permanent manner, and keep the same in repair, to the entire satisfaction of said Street Commissioner."

Agreement dated December 15th, 1852.

THIRD AVENUE RAILROAD.

"Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established, or may hereafter be established by the Common Council. The said parties to become bound in a sufficient penalty to keep in good repair the space inside the tracks, and a space two feet each side of the same, of each street in which the rails are laid."

Agreement dated January 1st, 1853.

SIXTH AVENUE RAILROAD.

"Such track or tracks to be laid under the direction of the Street Commissioner, and on such grades as are now established, or may hereafter be established by the Common Council, the said parties to become bound in a sufficient penalty to keep in good repair the space between the track and the space outside the same on either side, of at least eight feet in width, of each street in which the rails are laid. "Also that the foundation on each side of the rails shall be paved with square grooved blocks of stone, similar to the Russ pavement, as far up as Fifty-first street."

Agreement dated September 6th, 1851.

EIGHTH AVENUE RAILROAD.

Same as Sixth Avenue Railroad.

Agreement dated September 6th, 1851.

HUDSON RIVER RAILROAD.

"To grade, regulate, pave, and keep in repair, a space twenty-five feet in width, in and about the tracks, in all the avenues and streets through which the said track or tracks shall be laid, whenever the Common Council shall deem the interest of the public to require such pavement to be done. Said company will, at their own cost, construct stone bridges across such of the streets intersected by the said railroad, as may, by the elevation of their grades above the surface of said road, require to be arched or bridged, whenever, in the opinion of the Common Council, the same shall be necessary."

"Also, that the said company will make such embankments or excavations, as the Common Council may deem necessary, to render the passage over the said railroad and embankment, at the cross streets, easy and convenient for all purposes to which streets and roads are usually put."

"Will also make at their own cost and charge, all such drains and sewers as their embankments or excavations may, in the opinion of the Common Council, render necessary."

Agreement dated August 19th 1847.

HARLEM RAILROAD.

"Shall pave the streets in and about the rails, in a satisfactory manner, and keep the width of twenty feet of said paving, including the rails, in good repair at all times during the continuance of their use thereof."

*Agreement dated May 18th, 1832, extending
Harlem Railroad from 23d to Prince street.*



DOCUMENT No. 33.

BOARD OF ALDERMEN.

MARCH 24, 1854.

The following report of the Committee on the Fire Department, on the communication from the Representatives of the Fire Department, and also on the communication from Carlisle Norwood and others, asking the co-operation of the Common Council in effecting the passage of a bill through the legislature, entitled "An act for the better regulation of the firemen in the city of New York," was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on the Fire Department, to whom was referred the annexed communication from the Representatives of the New York Fire Department, with a copy of the resolutions, unanimously adopted by said Representatives, February 13, 1854, appointing and empowering a Committee of three, to apply to the legislature, for the passage of a law for the better regulation of the Fire Department; and also the communication, hereto annexed, from Carlisle Norwood, D. Milliken and Henry W. Belcher, the Committee appointed under said resolutions, asking

the co-operation of the Common Council, in effecting the passage of a bill, introduced into the legislature of this state, in accordance therewith, entitled "An act for the better regulation of the firemen in the city of New York," respectfully

REPORT :

That they have thoroughly examined the subject intrusted to them; have given it most careful consideration, and have had the said Committee of said Representatives before them.

Your Committee, after such investigation, becoming convinced that some amendments were necessary, in order to make the bill more complete, submitted their views to the said Committee; and your Committee are pleased to state, that those amendments met with the unanimous approval of the said Committee.

Your Committee further report, that this bill comes directly from, and has received the sanction of, the Representatives of the Fire Department, as expressed in their resolutions above-mentioned and hereto annexed. Your Committee, therefore, have attached to this report a copy of the said bill, as amended and approved by the said Committee of the Representatives of the Fire Department, and marked A; and being well satisfied that said bill is the one best calculated to promote the interests of the Fire Department, and while taking no power from the Common Council, which they now have over the Fire Department, will relieve this Board, and your Committee particularly, of much labor and anxiety. They offer for adoption the following resolution :

Resolved, That this Board do approve the annexed bill, marked A, entitled "An act for the better regulation of the firemen in the city of New York," and recommend its passage by the Legislature.

WILLIAM TUCKER, } *Committee on*
WM. BOARDMAN, Jr. } *Fire Department.*

*To the Honorable the Common Council
of the city of New York:*

The undersigned herewith present for your consideration, a copy of the bill introduced in the legislature of this state, in accordance with the resolutions of the Representatives of the New York Fire Department.

They ask for it your attentive consideration, believing, as they do, that it not only meets the views of the firemen, but that it embodies all that is requisite for the enforcement of discipline and subordination in the Department; while, at the same time, it does not infringe upon the rights of the citizens, nor of our municipal government.

If approved by you, as they trust it will be, they respectfully ask for your co-operation in effecting its passage through the legislature.

All of which is respectfully submitted,
CARLISLE NORWOOD,
D. MILLIKEN,
HENRY W. BELCHER,

Com. Reps. N. Y. Fire Department.

NEW YORK, March, 1854.

AN ACT

FOR THE BETTER REGULATION OF THE FIREMEN IN THE CITY
OF NEW YORK.

*The People of the State of New York, represented in Senate
and Assembly, do enact as follows:*

1. There shall be elected by the Representatives of the New York Fire Department five Commissioners, at the time and in the manner hereinafter provided, to be denominated "The Commissioners of the New York Fire Department."

2. The said Commissioners shall be elected on the second Tuesday of May, at such place and hour as the said Representatives shall designate, and a majority of the votes cast shall be requisite to constitute a choice.

3. No person shall be eligible as such Commissioner, unless he shall be, at the time of such election, an exempt fireman, and shall have ceased to be a member of the New York Fire Department for at least three years prior to said election.

4. It shall be the duty of the President and Secretary of the New York Fire Department to certify, under oath, to the Common Council, the names of the persons so elected Commissioners, to be by that body confirmed.

5. The said Commissioners shall nominate, and the Common Council shall appoint, a clerk, at a salary not exceeding five hundred dollars a year, and the Commissioners and Clerk shall take an oath, to well and faithfully perform the duties of their office.

6. It shall be the duty of said Commissioners to inquire into all applications for the organization of fire companies, and, if approved by them, such approval shall be certified by them to the Common Council, through the Chief Engineer, for confirmation. No fire companies shall be organized unless approved by said Commissioners.

7. It shall be the duty of the Chief Engineer of the Fire Department to present to said Commissioners the names of all persons applying to be firemen, and of all persons expelled or resigned from the Department; and on the same being approved by them, they shall certify such approval to the Chief Engineer, who shall thereupon return the same to the Common Council for approval.

8. The said Commissioners shall have cognizance of all complaints against firemen, for riotous or disorderly conduct at fires or alarms of fire, or for violation of any of the state or city laws respecting the firemen of the city of New York; they shall diligently inquire into the same, and if the parties so charged shall be proved guilty, the said Commissioners shall have power to suspend or remove said firemen, subject to the approval of the Common Council.

9. The said Commissioners may make such rules and regulations as may be necessary for the performance of their duties, not inconsistent with the laws of the city or state, or of the United States.

10. The Common Council shall design a fire cap and a badge, one of which shall be worn by every fireman when on duty as such, and they shall pass such ordinances as may be requisite to prevent the approach of persons other than firemen or policemen to the vicinity of fires.

11. Any person who shall falsely represent any of the members of the Fire Department of the city of New York, or who shall maliciously, with intent to deceive, use, or imitate any of the signs, fire caps, badges, signals or devices, adopted and used by the Fire Department, shall be deemed guilty of a misdemeanor, and shall be subject to a fine not less than twenty-five dollars, nor more than two hundred and fifty dollars, and by imprisonment for a term not less than ten days, nor more than three months.

12. Nothing in this act shall deprive the Common Council of the city of New York of any power now vested in them, over the firemen of said city.

13. This act shall take effect immediately, and the first election of Commissioners, provided for therein, shall take place on the second Tuesday of May next.

(A)

AN ACT

FOR THE BETTER REGULATION OF THE FIREMEN IN THE CITY
OF NEW YORK.

1. There shall be elected by the Representatives of the New York Fire Department five Commissioners, at the time and in the manner hereinafter provided, to be denominated "The Commissioners of the New York Fire Department."

2. The said Commissioners shall be elected on the second Tuesday of May, at such place and hour as the said Rep-

representatives shall designate, and a majority of the votes cast shall be requisite to constitute a choice.

3. The first election for Commissioners, under this act, shall take place on the second Tuesday in May next, and within ten days after such election the persons so elected shall, in the presence of the President of the New York Fire Department, draw for the term of their respective offices :—say, one for the term of five years, one for the term of four years, one for the term of three years, one for the term of two years, and one for the term of one year ; and annually thereafter there shall be elected one Commissioner, to hold his office for the term of five years.

4. In case of a vacancy in the office of either or all of said Commissioners, either by death, removal, or resignation, the said Representatives shall proceed, within ten days thereafter, to fill said vacancy, or vacancies ; and the person or persons so elected shall hold their office only for the balance of the unexpired term.

5. In case of the refusal or neglect of either or all of the said Commissioners to perform any of the duties imposed upon them by said act, the Common Council of the city of New York shall have power to remove said Commissioner, or Commissioners, provided two-thirds of the members elected to said Board shall vote in favor of the same.

6. No person shall be eligible as such Commissioner, unless he shall be, at the time of such election, an exempt fireman, and shall have ceased to be a member of the New York Fire Department for at least three years prior to said election.

7. It shall be the duty of the President and Secretary of the New York Fire Department, to certify, under oath, to the Common Council, the names of the persons so elected Commissioners, to be by that body confirmed.

8. The said Commissioners shall nominate, and the Common Council shall appoint, a Clerk, at a salary not exceeding five hundred dollars a year, and the Commissioners and Clerk shall take an oath to well and faithfully perform the duties of their office.

9. It shall be the duty of said Commissioners to inquire into all applications for the organization of volunteer fire companies, and the result of said inquiry shall be certified by them, through the Chief Engineer, to the Common Council for confirmation.

10. It shall be the duty of the Chief Engineer of the Fire Department to present to said Commissioners the names of all persons applying to be volunteer firemen, and of all persons expelled or resigned from the Department; and, on the same being duly investigated by them, they shall certify the result of such investigation to the Chief Engineer, who shall thereupon return the same to the Common Council for their approval.

11. The said Commissioners shall have cognizance of all complaints against volunteer firemen for riotous or disorderly conduct at fires or alarms of fire, or for violation of any of the state or city laws respecting the firemen of the city of New York; they shall diligently inquire into the same, and if the parties so charged shall be proved guilty, the said Commissioners shall have power to suspend or remove such firemen, subject to the approval of the Common Council.

12. Should any disagreement arise between the Common Council and the said Commissioners, in regard to any decision of the latter, under the ninth, tenth, and eleventh sections of this act, the same shall be referred back to the Commissioners for re-consideration ; and should the said Commissioners refuse to recede therefrom, or re-consider the same, then the action of the Common Council thereon shall be final, provided two-thirds of all the members elected to each Board shall vote in favor of such action.

13. The said Commissioners may make such rules and regulations as may be necessary for the performance of their duties, not inconsistent with the laws of the city or state of New York, or of the United States.

14. The Common Council shall design a fire cap and a badge, one of which shall be worn by every fireman when on duty as such ; and they shall pass such ordinances as may be requisite to prevent the approach of persons other than firemen or policemen to the vicinity of fires.

15. Any person who shall falsely represent any of the members of the Fire Department of the city of New York, or who shall maliciously, with intent to deceive, use or imitate any of the signs, fire caps, badges, signals, or devices adopted and used by the Fire Department, shall be deemed guilty of a misdemeanor, and shall be subject to a fine not less than twenty-five dollars, nor more than two hundred and fifty dollars, and by imprisonment for a term not less than ten days, nor more than three months.

16. Nothing in this act shall deprive the Common Council of the city of New York of any power now vested in them over the firemen of said city.

17. The term "Volunteer Fireman" shall be understood as applying to all persons who now are, or who may hereafter become members of the New York Fire Department of the city of New York, as at present organized under the laws of the state and of said city.

18. This act shall take effect on the second Tuesday of May next.

*To the Honorable the Common Council
of the city of New York:*

The petition of the New York Fire Department, respectfully

SHOWETH :

That during the past three or four years, serious and gross abuses have crept into the Department, by which not only its morals have been impaired, but its efficiency and discipline have been almost destroyed. The great majority of the firemen are composed of men of every vocation, the merchant, mechanic, artisan, from the professional and laboring classes ; and this majority, in point of character and respectability, will challenge comparison with any other institution in our country. Their aim is to discharge their self-imposed duty with fidelity, and to elevate the character of their body ; but, to accomplish this, they should by all means be sustained by the authorities of our city. This, your petitioners regret to say, has not been the case for the past few years; for, owing to a personal difficulty between the head of the department and the municipal government, the latter have, by every means in

their power, set at defiance the authority of the former, disregarded his recommendations, and thus given every encouragement to the riotous and disorderly to carry out their infamous and wicked designs without restraint. The result has been, that our department, which should be the pride and boast of our city, has become a by-word and reproach; charges of a heinous nature are freely made against some of its members through the public prints, which want of power on the part of the department prevents them from investigating.

The brevity of a petition necessarily prevents your petitioners from going into details on this subject; but, trusting that they may be heard before a Committee of your Honorable Body, they content themselves for the present with asking that you inquire, whether certain charges made by the editor of the Sunday Mercury, in his issue of , and also by the editor of the Daily Times, are true, and if so, that the offenders be expelled from the department forthwith.

Your petitioners would also pray, that hereafter no fire companies shall be organized, unless through the written approval of the Chief Engineer; and that all cases of insubordination or disorderly conduct, on the part of firemen, be promptly and effectually inquired into, and the offenders punished; also, that no person, once expelled from the Fire Department, shall be again restored to membership, unless it shall be fully proved, after a thorough investigation by the proper committee, that such expulsion was unjust and improper.

Your petitioners would also pray, that whenever any fire company shall be suspended from duty by the Chief

Engineer, for disorderly conduct, such company shall not be restored to service until the charges against them shall have been investigated by your Body; and they would also ask, that the authority of the Chief Engineer, in the discharge of his duties, shall at all times be enforced, so far as the action of your Honorable Body is concerned.

Your petitioners believe that unless prompt and decisive measures are taken to preserve the character of the department, its usefulness will soon be forever destroyed, and our city left to the mercy of the incendiary and the robber.

Your petitioners herewith annex a copy of the resolutions recently adopted by the Fire Department, on this subject, and they pray your immediate attention to this, their petition; and your petitioners, as in duty bound, will ever pray.

CARLISLE NORWOOD,
D. MILLIKEN,
HENRY W. BELCHER,

Com. Rep. of the N. Y. Fire Department.

NEW YORK, February 18th, 1854.

At a special meeting of the Representatives of the New York Fire Department, held at Firemen's Hall, on Monday evening, February 13, 1854, the following preamble and resolutions were unanimously adopted:

Whereas, The public mind has, of late, been excited in regard to certain developments in reference to the Fire Department, tending to impair the confidence of our fellow-citizens in our institution; and

Whereas, Charges have been brought against a portion of its members, which, if true, and passed over in silence, would render us justly obnoxious to the censure of every honest man; therefore, be it

Resolved, That we, the representatives of the New York Fire Department, believe it to be not only *our* duty, but that of those whom we represent, to use our best exertions to guard the honor of our institution, and to eradicate, as far as lies in our power, whatever evils may exist among us.

Resolved That none more than ourselves deplore that there should exist any cause of complaint against a portion of our members; but, at the same time, we utterly disclaim and deny the right of either the public press or our fellow-citizens to hold the whole department responsible for the abuses which have crept into it.

Resolved, That among the causes which have mainly brought about the present state of affairs in the department, has been most prominent the flagrant and infamous conduct of our municipal government during the past few years, which, instead of endeavoring to preserve the discipline and character of the department, have done all in their power to destroy them, by the indiscriminate creation of firemen, the restoration to membership of men expelled for bad conduct, the free encouragement and license given to the riotous and disorderly, by their neglect to punish them when brought before them; in a word, by the wholesale abuse of their authority, to gratify personal ends and political purposes. We challenge a denial of this; the record of their acts prove it, and that record cannot be obliterated.

Resolved, That believing that we have now a Common Council disposed to do justice to the department, that a Committee of three be appointed, to apply to that body, to cause to be investigated, in connection with the City Judge or Recorder, the abuses now existing in the department, to the end that proper measures may be taken to remedy them.

Resolved, That said Committee be empowered to apply to the legislature, for the passage of a law, making it a misdemeanor for any person, during a fire, or an alarm of fire, to wear a fire cap, or any other badge of a fireman, which may be prescribed by the authorities, or at any time to represent himself to be a fireman, for the purpose of fraud or deception; also, to provide for a commission of exempt firemen, to be elected either by this body or by the firemen at large, to which shall be referred all applications for the organization of fire companies, or the appointment of firemen, before being acted upon by the Common Council, and for the adoption of such other measures as may be best calculated to promote the welfare and interests of the department.

Resolved, That the same Committee be authorized to request the co-operation of the Common Council and of our fellow citizens, to carry out the above measure.

WM. D. WADE,
Secretary.

I certify the above to be a true and correct copy of the original.

WM. D. WADE,
Secretary N. Y. Fire Department.

NEW YORK, February 20th, 1854.

DOCUMENT No. 34.

BOARD OF ALDERMEN,

APRIL 3, 1854.

The annual report of the Sailors' Snug Harbor, in the city of New York, for the year 1853, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

MAYOR'S OFFICE, }
NEW YORK, April 3, 1854. }

To the Hon. Common Council:

GENTLEMEN:—I transmit herewith the annual report of the Sailors' Snug Harbor, for the year ending December 31st, 1853.

JACOB A. WESTERVELT.

To the Honorable the Mayor, Aldermen and

Commonalty of the city of New York:

The annual report of the Treasurer of the Sailors' Snug Harbor, in the city of New York," showing the receipts and disbursements on account of the trust, from the

thirty-first day of December, 1852, to the thirty-first day of December, 1853. Showing, also, the present state of the funds, and an estimate of income for the year 1854.

RECEIPTS.

| | |
|--|--------------------|
| Balance of cash in hand December 31, 1852... | \$3,817 73 |
| Cash received for loans to the trustees, in anticipation of ground rents and interest to become due..... | 16,000 00 |
| Cash received from the Seaman's Bank for Savings, for interest allowed on balances. | 125 81 |
| Cash received for interest on an old standing ground rent..... | 10 20 |
| Cash received for proceeds of sundries sold by the Governor, on account of the trustees, and handed over to the Treasurer..... | 874 56 |
| Cash received for interest on bonds and mortgages..... | 3,323 60 |
| Cash received for ground rents on lots in the First Ward..... | 2,850 00 |
| Cash received for ground rents on lots in Fifteenth Ward, outstanding on December 31, 1852..... | 776 63 |
| Cash received for ground rents on lots in Fifteenth Ward, on account of the year, from November 1, 1852, to November 1, 1853.... | 56,285 25 |
| | <u>\$84,063 78</u> |

DISBURSEMENTS.

| | |
|--|--------------------|
| Cash paid C. H. Marshall, Esq., for sundry loans to the trustees. | \$16,000 00 |
| And for interest on the same..... | 217 97 |
| | <u>\$16,217 97</u> |
| Carried forward..... | \$16,217 97 |

| | |
|--|-------------|
| Brought forward..... | \$16,217 97 |
| Cash paid the Society for the Relief of Destitute Children of Seamen, for balance of loan on their bond and mortgage for eight thousand dollars..... | 2,873 65 |
| Cash paid on account, and in full, for contract and expenses in building the new hospital, lately erected on the premises of the trustees, at Staten Island | 2,840 68 |
| Cash paid for repairs and improvements in buildings and grounds, including three thousand two hundred and ninety-eight dollars and eighty cents, for painting the Mariner's Asylum building, the wings and corridors, and seven hundred and seventy-nine dollars and seventy-five cents, for clearing, grubbing, grading, harrowing and sowing two woodlots, one of seven acres and three-quarters, and the other of acres; blasting rocks, new road and new fences, raising the drying house, and a stone foundation therefor, plumber's work, and general carpenter's and mason's work and materials, &c..... | 6,283 88 |
| Furniture — Beds, bedsteads and bedding, bureaus, tables, settees, chairs, crockery, cutlery, &c., for the hospital and the asylum... | 1,981 70 |
| Freight per steamboats..... | \$183 88 |
| Funeral expenses of deceased inmates..... | 232 01 |
| Rents of Treasurer's and Agent's offices..... | 250 00 |
| Carried forward..... | \$30,197 88 |

| | | |
|--|----------|------------|
| Brought forward..... | \$30,197 | 88 |
| Taxes and Insurance..... | 1,594 | 78 |
| Salaries of Governor, Treasurer, President, Chaplain, Resident Physician and Agent..... | 8,958 | 30 |
| Contingencies, including one thou- sand five hundred and thirty-four dollars and thirteen cents for Counsel fees and law expenses, from April, 1850, to this date; subscriptions for newspapers, sailors' magazines, books and stationery, floor sand, black- smithing, whitewashing and cleaning buildings, petty ex- penses of treasury, collations, &c. | 1,947 | 25 |
| Farm, including wages of foreman, two assistants and gardener, ma- nures, seed potatoes, and other seeds; trees, shrubbery, labor in harvest, and repairing dyke..... | | \$1,710 69 |
| Groceries, including flour and meal, | \$9,636 | 69 |
| Fuel—anthracite coals and char- coal..... | 1,658 | 35 |
| Meats, fresh and salt..... | 7,951 | 29 |
| Clothing..... | 4,526 | 28 |
| Drugs and medicines..... | 164 | 11 |
| Bloomington Asylum, for support of men..... | 849 | 65 |
| House wages, viz : of steward, ma- tron, baker and assistant, cooks in hospital and asylum, and their | | |
| Carried forward..... | \$45,074 | 79 |

| | | |
|--|----------|--------------------|
| Brought forward..... | \$45,074 | 79 |
| assistants, nurses, seamstresses, laundresses, barber, lodge-keep- ers, and others employed in the Institution..... | 3,766 | 50 28,552 87 |
| Balance, cash in bank, December 31, 1853..... | ————— | 10,436 12 |
| | | <u>\$84,063 78</u> |

FUNDS.

| | | |
|----------------------------------|----------|----------------|
| Bonds and mortgages..... | \$63,480 | 00 |
| Cash in bank December 31, 1853.. | 10,436 | 12 \$73,916 12 |

ESTIMATED INCOME FOR THE YEAR 1854.

| | | |
|---|---------|------------|
| Interest on bonds and mortgages.. | | \$4,283 60 |
| Ground rents, viz: on lots in First Ward | \$2,850 | 00 |
| Ground rents, viz: on lots in Fif- teenth Ward | 58,357 | 50 |
| Ground rents, viz: on a five acre lot on Staten Island..... | 50 00 | 61,257 50 |
| Ground rents, viz: on lots in Fif- teenth Ward, outstanding on the 31st December, 1853..... | | 1,962 25 |

The leases on twenty-one lots in the Fifteenth Ward, will expire on the 1st day of May next; these will be renewed at increased rents, and one-half of the annual aggregate increase will form a part of the income for the year. The different rents, not yet being arranged, are not estimated.

\$67,503 35

JOSEPH GREENLEAF, *Treasurer.*

The Executive Committee of the Board of Trustees of the Sailor's Snug Harbor in the city of New York, having attended to the duties assigned them, pursuant to a standing order of the Board, do

REPORT :

That they have carefully examined the Treasurer's accounts, from the first day of January to the thirty-first day of December, in the year one thousand eight hundred and fifty-three; they have examined the vouchers for the disbursements; they have also examined the bonds and mortgages, and have found the same to be, in all respects, correct.

That there is a balance of cash, in favor of the trustees, of ten thousand four hundred and thirty-six dollars and twelve cents, and that the same is in deposit in the Seamen's Bank for Savings, to the credit of the trustees.

Dated NEW YORK, December 31, 1853.

CHARLES H. MARSHALL,

*President of the Marine Society, and
Chairman of Executive Committee.*

JACOB A. WESTERVELT,

*Mayor of the city of New York, and
Member of Executive Committee.*

P. PERIT,

*President of Chamber of Commerce, and
Member of Executive Committee.*

F. R. TILLOU,

Recorder.

DOCUMENT No. 35.

BOARD OF ALDERMEN,

APRIL 5, 1854.

The following report of the Committee on Ferries, on the petition of the Williamsburgh Ferry Company, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Ferries, to whom was referred the annexed petition from the Williamsburgh Ferry Company, respectfully

REPORT:

That, in compliance with the request of the said Ferry Company, your Committee have had a conference with the directors and managers of the company. At that conference, the report made by your Committee, on the 15th of March, was fairly examined, and the views of the lessees heard at length. These gentlemen gave your Committee every assurance of their desire to make these ferries all that the wants of the people require, in every respect, and

as an evidence of their sincerity, they laid before the Committee a proposition for the reduction of ferriage, in some respects even lower than that recommended by your Committee. The only material portions of our previous report to which they object, are the plan of quarterly commutation, and the reduction of the rates of ferriage on the Grand street and South Seventh street ferries, from three to two cents. On a careful examination of the recommendation made in our former report, and the present proposition of the company, we are free to say that we believe the proposition of the company to be quite, if not more favorable to the people of Williamsburgh, while it in some manner relieves the company from what would have been, perhaps, an unnecessary tax upon them. The offer of the company places, as will be seen, the rate of commutation to women and minors at a lower figure than we did. It also reduces the ferriage on nearly all freights, carts, carriages and market wagons below the rates originally recommended by the Committee. But, on the other hand, they ask that the rates of ferriage on the two upper ferries be allowed to remain, at least for the present, at three cents, instead of *two*, and that the commutation be made, as heretofore, for six months instead of three. By their plan the rates are made uniform on all the ferries under their management; and, as an offset to the new reduction of foot passenger rates on the Grand street and South Seventh street ferries, they propose to sell forty passenger tickets, (to be transferable, and good for a passage over either of their ferries,) for one dollar. This brings the ferriage, in reality, to two and a half cents; or on an average of what your Committee recommended. As it was not the design of the Committee to recommend

any thing that should be unnecessarily oppressive to the company, and as we believe the proposition made since our report, by the company, to be fair and liberal, and that, if carried out in good faith, it will give the people of the city and Williamsburgh all the ferry facilities that is demanded for the present, on the ferries under the control of the Williamsburgh Ferry Company; we therefore recommend the adoption of the annexed resolution, rules, regulations and rates of ferriage, which substantially embody the proposition made to us by the company. All of which is respectfully submitted.

| | | |
|-------------------|-------------|----------|
| P. P. VOORHIS, | } Committee | |
| A. J. WILLIAMSON, | | on |
| WILLIAM BAIRD, | | Ferries. |

Resolved, That the lessees of the ferries now running from Peck slip to South Seventh street, Williamsburgh; from Grand street to South Seventh street, Williamsburgh; and also to Grand street, Williamsburgh, be, and they are hereby directed to conform to the rules and regulations, and rates of ferriage hereunto annexed, from and after the first day of May, one thousand eight hundred and fifty-four, which rules and regulations, and rates of ferriage shall be, and remain in full force, until such time as the Mayor, Aldermen and Commonalty of the city of New York shall deem it expedient to still further modify the same, by virtue of the power conferred on them by the several leases under which the said Williamsburgh ferries were granted to the persons now running said ferries; provided, that nothing herein contained shall be construed into a release on the part of the Mayor, Aldermen and Commonalty of the city of New York, of any of the obligations or liabilities of the said lessees, under said leases for the above mentioned ferries.

Additional rules and regulations, ordained by the Mayor, Aldermen and Commonalty of the city of New York, for the better management of the ferries running from Peek slip, New York, to South Seventh street, Williamsburgh; from Grand street, New York, to South Seventh street, Williamsburgh, and to Grand street, Williamsburgh.

It is hereby directed, that the lessees of the Peek slip ferry shall run four steam ferry boats, equal in size, power and capacity, to the steam ferry boats "Oneota," "Niagara," and "Onalaska," now used on said ferry, every week day, from 6 to 10 o'clock A. M., and from 4 to 7 o'clock P. M.; three boats, from 10 A. M. to 4 o'clock P. M.; and from 7 to 8 o'clock P. M.; and two boats for the remainder of the twenty-four hours; and that the said ferries shall be kept running with all the despatch and regularity possible. The said lessees are also directed to employ at least one able-bodied man to the bridge, at each slip, to assist in fastening the said boats as they come in; also to employ two persons, as deck hands, on each of said ferry boats, one of whom shall assist in the proper fastening of the boats to the bridges, as soon as they enter the respective slips. They shall also see that the ferry boats employed on these several ferries are kept clean, and properly ventilated and lighted, enforce due police regulations, and, in all respects, protect such passengers as may cross on said ferry boats.

It is further directed, that the lessees of the Grand street ferry shall employ two steam ferry boats, of equal size and power, to those now in use, from 6 o'clock A. M. to 9 o'clock P. M., of every day, and one boat for the re-

mainder of the twenty-four hours. Also to employ, in addition to the deck hands on the boats, one man to each bridge, to assist in securing the boats, on their arrival at the respective slips.

It is further directed, that the lessees of the ferry running from Grand street, New York, to South Seventh street, Williamsburgh, shall keep one ferry boat constantly plying on said ferry, every day, from sunrise till 12½ o'clock at night; and that the said ferry shall, in other respects, conform to the regulations of the Grand street and Peck slip ferries.

It is further directed, that the lessees of the several above-mentioned ferries shall also keep such extra boats for the use of the said ferries, as will, at all times, enable them to furnish the accommodation to the business and travel over said ferries, as is herein provided for. They are also directed to furnish their said ferry boats with the necessary apparatus to preserve the lives of the passengers, in case of accident, while out in the river, and their bridges with proper implements for rescuing passengers, in case of accident in their several slips.

A SCHEDULE OF THE RATES OF FERRIAGE, *to be charged on the ferries of the Williamsburgh Ferry Company, running from Peck Slip, New York, to South Seventh street, Williamsburgh; from Grand street, New York, to South Seventh street, Williamsburgh, and from Grand street, New York, to Grand street, Williamsburgh:*

| | |
|---|--------|
| Foot passengers, for single passage on either of the three ferries..... | \$0 03 |
| Forty tickets, transferable, and good on all the ferries..... | 1 00 |

All females, and boys, under seventeen years of age,
 shall be allowed to commute for six months, with
 privilege of crossing all the above ferries, at..... 3 00
 Males over seventeen years of age may, in like man-
 ner, commute for the same privilege, for six months,
 for 5 00

The periods for commutation shall date from the first of
 May, and the first of November in each year.

| | <i>£.</i> | <i>d.</i> |
|---|-----------|-----------|
| One-horse pleasure carriage..... | 1 | 6 |
| One-horse gig or sulky..... | 1 | 6 |
| Two-horse pleasure carriage..... | 2 | 0 |
| Horse, or horse and man..... | 0 | 10 |
| Neat cattle, each..... | 0 | 10 |
| Two-horse wagon, with hay or straw, loose..... | 3 | 0 |
| Two-horse wagon, with hay and straw, pressed.... | 2 | 0 |
| “ market wagon, loaded..... | 2 | 0 |
| One-horse market wagon, loaded..... | 1 | 6 |
| “ wagon, loaded with furniture..... | 1 | 6 |
| A cart or business wagon, not exceeding ten feet in length, with ordinary load..... | 1 | 0 |
| Do. do. not loaded..... | 1 | 0 |
| Hog, sheep, or calf..... | 3 | 0 |
| Flour, or other articles in barrels, per barrel..... | 3 | 0 |
| Liquors, beer, cider, &c..... | 0 | 6 |
| For every hundred pounds of any article not occu- pying extra room..... | 0 | 3 |
| All other articles, not enumerated above, shall be charged in proportion to the above rates. | | |

DOCUMENT No. 36.

BOARD OF ALDERMEN

APRIL 10, 1854.

The following communication from the Street Commissioner, in answer to resolution relative to regulating, &c., streets and avenues, was received, laid on the table and ordered to be printed.

D. T. VALENTINE, *Clerk.*

To the Hon. Board of Aldermen:

GENTLEMEN:—In reply to a resolution adopted by the Board of Aldermen, March 10, 1854, in relation to regulating, &c., streets and avenues, the Street Commissioner respectfully reports:

Paving and flagging Thirty-seventh street, from Second to Third avenue; date of contract, December 6, 1853; expiration February 12, 1853.

*Grading Forty-ninth street, from Fifth avenue to East river; date of contract, December, 31, 1850; expiration, October 10, 1852.

Grading Second avenue, from Fifty-third street to Eighty-sixth street, date of contract, January 17, 1851; expiration, February 1, 1852.

Regulating, &c., Fifty-first street, from Third to Sixth avenue, date of contract, September 9, 1850; expiration, September 1, 1853.

Regulating, &c., Fifty-first street, from Sixth to Eighth avenue; date of contract, May 29, 1853; expiration, November 29, 1854.

Regulating, &c., Fifty-first street, from East river to Third avenue; date of contract, July 1, 1852; expiration, September 1, 1853.

Regulating, &c., Fifty-first street, from Tenth avenue to Hudson river; date of contract, October 19, 1852; expiration, January 1, 1854.

Regulating, &c., Fifty ninth street, from Fifth avenue to Broadway; date of contract, June 25, 1852; expiration, September 1, 1853.

Regulating, &c., Eighth avenue, from One hundred and second to One hundred and eighth street; date of contract, November 3, 1852; expiration

Regulating, &c., Seventieth street, from Tenth avenue to Hudson river; date of contract, October 21, 1825; expiration, June 21, 1853.

Regulating, &c., Lexington avenue, from Fiftieth to Fifty-seventh street; date of contract, April 12, 1853; expiration, January 12, 1854.

Regulating, &c., Fiftieth street, from Fifth to Seventh avenue ; date of contract, March 28, 1853 ; expiration, December 28, 1853.

Regulating, &c., Sixty-ninth, Seventieth and Seventy-first streets, from Seventh to Eighth avenue ; date of contract, October , 1852 ; expiration, February 1, 1854.

Regulating, &c., Forty-eighth street, from Fourth to Fifth avenue ; date of contract, June 26, 1852 ; expiration, October 1, 1852.

Regulating, &c., Fifty-fifth street, from Ninth avenue to Hudson river ; date of contract, October 24, 1850 ; expiration, December 31, 1853.

Regulating, &c., Fifty-fifth street, from Fifth to Sixth avenue ; date of contract, June 29, 1852 ; expiration, July 1, 1853.

Regulating, &c., Fortieth street, from Ninth to Tenth avenue ; date of contract, August 23, 1852 ; expiration, November 6, 1852.

Regulating, &c., Fifty-sixth street, from Third avenue to East river ; date of contract, June 26, 1852 ; expiration, September 1, 1854.

Regulating, &c., Thirty-sixth street, from Third avenue to East river ; date of contract, August 22, 1851 ; expiration, January 22, 1852.

Regulating, &c., Forty-fourth street, from First avenue to East river ; date of contract, March 19, 1853 ; expiration, July 19, 1853.

Regulating, &c., Forty-sixth street, from Fifth avenue to the East river ; date of contract, December 1, 1852 ; expiration, December 31, 1853.

Regulating, &c., One hundred and twenty-third street, from Third avenue to Avenue A ; date of contract, July 8, 1853 ; expiration, January 8, 1854.

Regulating, &c., Second avenue, from Twenty-eighth to Fifty-third street ; date of contract, February 1, 1851 ; expiration, February 1, 1854.

Regulating, &c., Ninetieth street, from Fourth to Fifth avenue ; date of contract, November 27, 1852 ; expiration, February 1, 1853.

Paving and flagging Thirty-eighth street, from Eleventh avenue to Hudson river ; date of contract, August 16, 1853 ; expiration, October 25, 1853.

Regulating Fifty-second street, from Fourth avenue to East river ; date of contract, June 21, 1852 ; expiration, June 1, 1853.

Regulating Forty-third street, from Third to Fifth avenue ; date of contract, April 23, 1850 ; expiration, October 25, 1850.

Regulating Forty-eighth street, from Tenth avenue to Hudson river ; date of contract, January 6, 1852 ; expiration, December 1, 1852.

Regulating Seventh avenue, from Fifty-ninth to Seventy-second street ; date of contract, June 29, 1852 ; expiration, April 1, 1854.

Regulating, Seventh avenue, from Forty-fifth to Fifty-ninth street ; date of contract, April 10, 1847 ; expiration, September 20, 1848.

Regulating Eighty-fourth street, from Second to Third avenue ; date of contract, September 23, 1852 ; expiration, April 23, 1853.

Regulating Forty-seventh street, from Third to Eighth avenue ; date of contract, May 1, 1852 ; expiration, June 1, 1853.

Regulating Fifty-sixth street, from Fifth avenue to Broadway ; date of contract, October 24, 1850 ; expiration, May 31, 1853.

Regulating Fifty-ninth street, from Eighth to Tenth avenue ; date of contract, June 26, 1852 ; expiration, May 1, 1853.

Regulating Forty-first street, from Fourth to Fifth avenue ; date of contract, June 26, 1852 ; expiration, August 1, 1853.

Regulating Forty-seventh street, from Third avenue to East river ; date of contract, December 22, 1851 ; expiration, March 2, 1853.

Regulating Forty-eighth street, from Third avenue to East river ; date of contract, September 10, 1851 ; expiration, September 17, 1853.

Regulating One hundred and twenty-eighth street, from Fourth to Seventh avenue ; date of contract, January 17, 1854 ; expiration, July 17, 1854.

Regulating Fifth avenue, from Forty-second to Fortyninth street; date of contract, June 9, 1853; expiration, December 9, 1854.

Regulating Sixty-third street, from Fifth to Sixth avenue; date of contract, November 26, 1852; expiration, August 26, 1853.

Regulating Fifty-second street, from Eleventh avenue to Hudson River; date of contract, February 2, 1853; expiration, July 27, 1853.

Regulating Fifty-fourth street, from First to Fifth avenue: date of contract, September 25, 1852; expiration, August 1, 1853.

Regulating Tenth avenue, from Forty-fifth to Fifty-fifth street; date of contract, May 13, 1853; expiration, September, 13, 1853.

Regulating Sixth avenue, from Forty-second to Fortyninth street; date of contract, July 15, 1853; expiration, January 15, 1854.

Regulating Fifty-third street, from Sixth avenue to Broadway; date of contract, June 13, 1853; expiration, January 1, 1854.

Regulating Fifty-third street. from Third to Sixth avenue; date of contract, November 28, 1853; expiration, May 28, 1854.

Regulating Thirty-fourth street, from Eighth to Ninth avenue; date of contract, December 6, 1853; expiration, February, 12, 1854. (This contract is re-let.)

Regulating Thirty-sixth street, from Tenth avenue to Hudson river; date of contract, June 6, 1853; expiration, March 6, 1854.

Regulating Tenth avenue, from Thirty-third to Forty-fifth street; date of contract, September 1, 1853; expiration, January 1, 1854.

Macadamizing Seventh avenue, from Fifty-ninth to Seventy-second street; date of contract, July 28, 1853; expiration, January 28, 1854.

Regulating Lawrence street, from One hundred and twenty-sixth to One hundred and Twenty ninth street; date of contract, September 6, 1853; expiration, November 6, 1853.

Regulating Forty-first street, from Tenth to Eleventh avenue; date of contract August 10, 1853; expiration, August 10, 1854.

Regulating Seventy-eighth street, from Third to Fifth avenue; date of contract, July 13, 1853; expiration, July 13, 1854.

Curb and gutter and flagging Fifty-first street, from Third to Sixth avenue; date of contract, July 13, 1853; expiration, July 13, 1854.

Regulating Eighty-sixth street, from Broadway to Hudson river; date of contract, August 5, 1852; expiration, January 1, 1855.

Regulating Seventy-ninth street, from Broadway to Tenth avenue; date of contract, October 17, 1853; expiration, March 17, 1854.

Regulating Thirty-ninth street, from Second to Third avenue; date of contract, October 14, 1853; expiration, December 13, 1853.

Regulating Forty-fifth street, from Fifth avenue to Broadway; date of contract, November 4, 1853; expiration, May 4, 1854.

Paving and flagging Thirty-sixth street, from Eighth avenue to Broadway; date of contract, November 10, 1853; expiration, January 20, 1854.

Regulating Fifty-fifth street, from Third avenue to Avenue A; date of contract, November 15, 1853; expiration, August 15, 1854.

Regulating Seventy-first street, from Sixth to Seventh avenue; date of contract, November 25, 1853; expiration, August 25, 1854.

Regulating One hundred and eighteenth street, from Third avenue to Harlem river; date of contract, November 18, 1853; expiration, May 18, 1854.

Regulating, paving and curb and gutter, Thirty-fourth street, from Eighth to Ninth avenue; date of contract, December 6, 1853; expiration, February 12, 1854.

Regulating, &c., Sixth avenue, from Fifty-seventh to Eighty-sixth street; date of contract, December 3, 1853; expiration, December 3, 1855.

Paving, &c., Eighth street, from Lewis street to East river; date of contract, December 15, 1853; expiration, February 22, 1854.

Grading One hundred and twenty-seventh street, from Fifth to Seventh avenue; date of contract, January 17, 1854; expiration, July 17, 1854.

Curb and gutter and flagging Eighty-second street, from Second to Fourth avenue; date of contract, January 14, 1854; expiration, May 14, 1854.

Curb and gutter and flagging Eighty-seventh street, from Third to Fifth avenue; date of contract, March 8, 1854; expiration, May 8, 1854.

Regulating Sixty-third street, from Eighth to Ninth avenue; date of contract, August 29, 1853; expiration, May 29, 1854.

Regulating Eighty-sixth street, from Third avenue to East river; date of contract, March 22, 1854; expiration, December 22, 1854.

Paving Thirty-fifth street, from Ninth to Tenth avenue; date of contract, March 27, 1854; expiration, April 27, 1854.

The time for grading Forty-ninth street, from Fifth avenue to East river—John Slatery, contractor—was extended by a resolution of the former Common Council.

The time for regulating Sixty-ninth, Seventieth and Seventy-first streets, from Seventh to Eighth avenue—James Flanagan, contractor—was extended, in consequence of the same being included in the limits of Central Park.

For regulating Fifty-fifth street, from Ninth avenue to Hudson river—P. & P. Masterson, contractors—was extended by the former Street Commissioner.

For regulating, &c., Fifty-sixth street, from Third avenue to East river—John Kinsley, contractor—was extended, in consequence of his finding more rock than expected.

For regulating Second avenue, from Twenty-eighth to Fifty-third street—Daniel Gallagher, contractor—was extended by a resolution of the Common Council.

For regulating Forty-first street, from Fourth to Fifth avenue—John Quinn, contractor—was extended, more rock being found than expected.

For regulating Fifty-fifth street, from Fifth to Sixth avenue—Peter Masterson, contractor—was extended in consequence of the death of Peter Masterson.

For regulating Fifty-sixth street, from Fifth avenue to Broadway—Peter Masterson, contractor—extended for the same reason.

For regulating Forty-eighth street, from Tenth avenue to Hudson river—William Gelling, contractor—extended, to permit the building a sewer in the street.

Respectfully submitted,

JAMES FUREY,

Street Commissioner.

STREET DEPARTMENT, }
April 3, 1854. }

DOCUMENT No. 37.

BOARD OF ALDERMEN,

APRIL 14, 1854.

The following report of the Committee on Finance, on the communication from the Commissioners of the Sinking Fund, relative to the sale of the property occupied by the Brick Church, bounded by Beekman and Nassau streets and Park row, was received, laid on the table, and ordered to be printed, together with the accompanying papers.

D. T. VALENTINE, *Clerk.*

The Committee on Finance, to whom was referred the communication from the Commissioners of the Sinking Fund, in relation to the sale of the property occupied by the Brick church, bounded by Beekman and Nassau streets and Park row, respectfully

REPORT :

That, February 25, 1766, the Corporation of the city of New York leased to Rev. Mr. Rogers and his associates, forever, the triangular piece of ground, now occupied by the Brick church, on the express condition that the said

premises should never, at any time forever after, be appropriated to private secular uses, at an annual rent of forty pounds—which rent was paid until September 3, 1785, when the Corporation reduced the rent to twenty-one pounds three shillings, at which sum it has remained ever since. In 1822, the trustees of the Brick church, at considerable expense, erected a large number of vaults on the church grounds, for the interment of the dead, which promised to yield a very handsome revenue. This was denied them by an ordinance of the Common Council the same year, which required that no interment should be made south of Grand street, under heavy penalty.

Some years after this, the trustees erected a building, for a lecture room, in the rear of their church, and permission was given to the trustees to rent such part of the same as might not be required for religious uses, as some equivalent for the loss of the revenue they had anticipated from the vaults.

The society now occupying the premises have been, for some time, desirous of selling their property, and have applied to the Supreme Court, for permission and authority to sell and convey the same, which was granted, February 15, 1853. Subsequently they applied to the Corporation, to unite with them in selling and conveying the premises, and offering to the city fifteen thousand dollars, which was considered too trifling a sum for the interest of the city, having, for over eighty years, exempted it from taxation, the protection of its property for that long period, and the great increase in its value, by the many improvements which have involved the city in a heavy debt and burdensome taxation. These, with other con-

siderations, induced the trustees to offer to the city one quarter of the amount for which the property can be sold, and fixing the minimum price at two hundred and twenty-five thousand dollars, which will, at that sum, yield the city fifty-six thousand two hundred and fifty dollars, and it is believed there will be realized from the sale a much larger sum, where now the city receive annually only fifty-two dollars and fifty cents for the rent of these premises.

Your Committee are in favor of accepting the proposition of the trustees of the Brick church, and offer the following resolution for adoption.

Resolved, (if the Board of Councilmen concur,) that the Common Council accede to the propositions contained in the several resolutions adopted by the Board of Trustees of the Brick Presbyterian church, and will pass the necessary ordinance to remove the restriction in the grant to said church, to wit, that the grounds covered by the lease shall not be appropriated to private secular uses; and also to carry out, in good faith, the propositions contained in said resolutions, according to the understanding between the Trustees of the church and the Commissioners of the Sinking Fund, as set forth in the report of the same to the Common Council, on the 6th of April, 1853.

WM. CHAUNCEY, } *Committee*
THOS. CHRISTY, } *on Finance.*

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York, April 6, 1853. }

To the Common Council:

The attention of the Commissioners of the Sinking Fund has been called to a matter which, in its results, if promptly attended to, will materially promote the interest of the fund confided to their charge.

The fund, at present, receives annually, a rent of fifty-two dollars and fifty cents, from the trustees of the Brick Presbyterian Church. This amount of ground-rent is perpetual, if the grounds are used only for the purpose of a church and cemetery. The trustees are desirous of selling the present site, for the purpose of erecting other church edifices in the upper part of the city, and a long time since applied to the Corporation for such modification as would enable them to sell the land, to be occupied for business purposes. Heretofore, there has been opposition to this arrangement, from the owners of vaults; and owing to this and other causes, the matter has been delayed to the present time.

The recent proceedings, for the widening of Beekman street, which has cut off most of the vaults, and rendered their removal imperative, has brought the church and congregation to a determination to sell and remove; and, on the 15th of February last, the trustees of the church obtained an order from the Supreme Court, to sell the church property on the Park, subject to the conditions and restrictions in the grant from the Corporation and to apply the proceeds of such sale to the purchase of other lands in the city, and to the erection of a new church edifice thereon. A copy of this order is annexed, marked A.

To show the precise relation in which the Corporation stand to this property, a copy of the original grant, to the Rev. Mr. Rogers, is given, marked B. The resolution of the Commissioners of the Sinking Fund is annexed, marked C; and the resolution of the trustees of the church, marked D. This grant is dated the 25th of February, 1766, and reserves an annual rent of forty pounds, which, by a re-lease, dated 8d September, 1785, was reduced by the Corporation to twenty-one pounds three shillings, at which sum it has remained ever since.

In the year 1822, as is stated in the papers which have been presented to the commissioners, the trustees of the Brick Church erected, at very considerable expense, a large number of vaults upon the church grounds, for the interment of the dead, which promised to yield a very handsome revenue, but which, in the fall of the same year, they were prohibited from using, by an ordinance of the Common Council, which required that no interment should be made, south of Grand street, under very heavy penalties.

Some years after this, the trustees erected a brick edifice, or lecture-room, in the rear of the church, and obtained permission from the Corporation to rent such part of the same, as might not be required for religious uses, as some equivalent for the loss of the income they had anticipated from the vaults.

The grant of 1766 states, that there is, in the triangular piece of land, between Nassau and Beekman streets and the Park, a quantity of land, equal to nine lots, twenty-five by one hundred feet; the widening of Beekman street takes off fifteen feet, from the whole width of the lot on that

end, which is equal to about two thousand two hundred square feet, a little less than one lot, leaving about eight lots.

So far as the Sinking Fund is interested in this question, it is obvious, that if the land is sold at the minimum fixed, two hundred and twenty-five thousand dollars, the fund will receive fifty-six thousand two hundred and fifty dollars of principal, and an annual revenue, at six per cent., of three thousand three hundred and seventy-five dollars, in lieu of the present annual rent of fifty-two dollars and fifty cents, representing a principal sum of only eight hundred and seventy-five dollars, with the Trust Fund; therefore, it is simply a question, whether, by the arrangements proposed, it shall gain fifty-five thousand three hundred and seventy-five dollars of capital, and three thousand two hundred and twenty-two dollars and fifty cents, of annual income, or whether the opportunity of thus augmenting the fund shall be neglected, and the promised advantage be lost.

In the sale of the property, it is anticipated, that a larger sum than the minimum fixed will be realized, and that the addition to the Sinking Fund may reach sixty or seventy thousand dollars. But in the estimate before given, we have taken only the sum which is certainly to be realized, if the sale is made, being one-fourth of the fixed minimum.

In the preceding statement, we have confined ourselves to the interest, which the fund, committed to our charge, has in the question.

There is another view of this subject, of great moment, which falls more immediately within the range of the

duties of the legislative branch of the City Government. We allude to the fact, that if the proposed arrangement is carried into effect, it will add, when the property is improved, probably, four or five hundred thousand dollars to the taxable property of the city.

Whilst it is conceded that this view of the subject belongs principally to the Municipal Government, it has been urged on the Church Corporation, that exemption from taxation, for a period of more than eighty years, and the protection of its property, during that long period, and its increased value, by the improvements which have involved the city in a heavy debt, and in burdensome taxation, they too, ought not to be indifferent to a policy, which would add to the fund for the payment of the debt, and to the increase of taxable property, and thus aid in equalizing taxation; and, it is believed, these considerations have had their influence in bringing the trustees up from their proposition, of fifteen thousand dollars, to one which will secure the fund fifty-six thousand dollars, and add four or five hundred thousand dollars to the taxable property of the city.

A. C. FLAGG, *Comptroller*.

JACOB A. WESTERVELT, *Mayor*.

F. W. EDMONDS, *Chamberlain*.

I am reconciled to concur in the within report, provided the portion of the avails to the city be fifty per cent.

F. R. TILLOU.

(A)

SUPREME COURT.

At a special term of the Supreme Court, held at the City Hall, of the city of New York, on the fifteenth day of February, one thousand eight hundred and fifty three.

Present—HENRY P. EDWARDS, *Justice*.

| | |
|--|---|
| In the matter of the Petition of the Corporation of the Brick Presbyterian Church, in the City of New York, to sell their Church property in the Second Ward. | } |
|--|---|

On reading and filing the petition of the Corporation of the Brick Presbyterian Church, in the city of New York, under their corporate seal, and duly verified by the oath of William Couch, President of the Board of Trustees of said Corporation, and on motion of Mr. Horace Holden, of counsel for said petitioners—

It is ordered, that the said petitioners be, and they are hereby authorized to sell and convey all their church property, lands, and tenements, situate in the Second Ward of the city of New York, bounded by Park row, Beekman street, Nassau street, and Spruce street, and either at public or private sale, subject to the conditions and restrictions contained in the grant, under which they hold the same; and to execute, to the purchaser or purchasers thereof, good

and sufficient conveyances therefor; and to apply the proceeds of such sale to the purchase of other lands in said city, and to the erection of a new church edifice thereon, agreeably to the prayer of the said petition; but the purchaser or purchasers thereof shall not be required, or bound to see to the application of the purchase moneys, to any of the purposes specified in said petition.

RICHARD B. CONNOLLY, *Clerk.*

This indenture, made the twenty-fifth day of February, in the year of our Lord one thousand seven hundred and sixty-six, between the Mayor, Aldermen and Commonalty of the city of New York, of the first part, and John Rodgers and Joseph Treat, clerks of the present ministers of the English Presbyterian church of the said city, according to the Westminster Confession of Faith, Catechism and Directory, agreeable to the present established Church of Scotland. The Hon. William Smith, Esquire, Garret Noel, Nathaniel McKinley, Peter Van Brugh Livingston, John Smith and Thomas Jackson, the present elders of the said church; John Stephens and Peter Riker, the present deacons of the said church, and Thomas Smith, Peter R. Livingston, Joseph Hallet, John Lashor, Jr., William Smith, Jr., John Dunlap and John Morin Scott, the present Trustees of the said church, of the second part.

Whereas, The said parties of the second part, and divers other members of the said Church and congregation did, lately, to wit, on or about the nineteenth day of February last, prefer their petition to the parties of the first part, in the words following; to wit :

*To the Worshipful the Mayor, Aldermen and Commonalty
of the city of New York, in Common Council convened :*

The petition of the ministers, elders, deacons, trustees, communicants and other members of the English Presbyterian church of the city of New York, according to the Westminster Confession of Faith, Catechisms and Directory, and agreeable to the present established Church of Scotland, humbly sheweth :

That while the church to which your petitioners belong, has not unmeritedly been esteemed for the purity of her doctrines, her members, we would presume to hope, have approved themselves good subjects and useful members of society ; that, by the blessing of Almighty God, your petitioners have so increased in members, as at this day to constitute a very considerable part of the freemen, freeholders and inhabitants of this flourishing city ; that, although your petitioners are already possessed of a spacious and convenient edifice for the public service of Almighty God, and the administration of Divine ordinances, according to their wholesome and approved form of discipline and worship, yet, by their great and continued growth, that building is rendered altogether incapable of containing their congregation, and the cemetery too small for decent interment of their dead ; that, urged by these necessities, your petitioners have lately cast their eyes around them in search of a convenient spot of ground for the erection of another church, and for supplying it with a cemetery ; that in this survey the known and approved benevolence of this Honorable Board, toward every Protestant denomination in this city, and its abilities to relieve the present necessities of our congregation, could not fail to command

its attention ; nor will the distinguished generosity by which our brethren of Trinity church were supplied with a large and convenient burying-ground, of the free gift of this Honorable Board, nor the late grant of a number of lots to the Reformed Protestant Dutch Church in this city, upon a resonable rent, permit us to doubt of the success of this, our application ; that though your petitioners would not be thought to prescribe, yet upon a view of the several lots belonging to this Honorable Board, within the compass of the improved parts of this city, the angular lot adjoining to the ground, lately called the Vineyard, and to the green, appeals to your petitioners to command the preference, not only with a view to convenience, but what will doubtless ever merit the attention of this Honorable Board, the public ornament ; that influenced by the latter, as a just motive, your petitioners beg leave to observe, that it will be necessary to keep open a cross street, between this piece of ground and the Vineyard, by which the angle being shortened at its base, will be so much diminished as to contain the quantity of about six lots only, which your petitioners humbly conceive will be a compass too small, especially if its disadvantageous form be considered, to contain a decent edifice, and a suitable cemetery ; that therefore, should this Honorable Board condescend to relieve the wants of your petitioners, they would beg leave to suggest the necessity of an additional piece of ground, with such convenience, in point of situation and quantity, for the use of a cemetery, as to this Honorable Board shall seem meet, for which, as well as the angular lot above-mentioned, your petitioners are freely willing to render to this Honorable Board, a rent suited to the circumstances of their church, and to erect such an edifice, as will contribute

to public ornament. Your petitioners, therefore, humbly pray this Honorable Board to take their extreme necessities into your serious consideration, and to grant to them the aforesaid angle of ground for the erection of a new church, with an additional lot, suitable for a cemetery, subject to such an annnal rent, to be rendered forever to this Honorable Board, as they, in their great wisdom and justice, shall think reasonable; and your petitioners shall ever pray, &c; and

Whereas, The said Mayor, Aldermen, and Commonalty did thereupon order, that Alderman Bogert, Alderman Hicks, Alderman Brinckerhoff, Mr. Thody and Gotier, or the major part of them, be a Committee to inquire into the allegations of the said petition, and make report thereof to said Board, with all convenient speed, which said Committee did afterward make report in the words following, viz: We, the subscribers, the Committee appointed by order of the Common Council, a copy whereof is hereunto annexed, do, in obedience to the said order:

REPORT:

That we met a Committee of the Presbyterian Church, attended by a city surveyor, which Committee of the Church upon viewing the ground belonging to the Corporation, declare that no ground of the Corporation would answer their purposes so well as the angle mentioned in their petition, which our sureyor told us amounted to about nine lots, at the calculation of about twenty-five feet in width, and one hundred in length, for which lots they, the said Committee of the Presbyterian Church, offered the sum of forty pounds per annum forever, which offer, with their reasons for the same is also hereunto annexed; and

we, the subscribers do also report, that we think the said angle, petitioned for, the most convenient place to build a church on ; all which is nevertheless humbly submitted to this Board, dated the twenty-first day of February, one thousand seven hundred and sixty-six. John Bogert, Jr., Whitehead Hicks, Direk Brinckerhoff, Andrew Gautier, Michael Thody ; upon which report the Corporation did make an order in the words following, to wit :

CITY OF NEW YORK, ss.

At a Common Council, held at the City Hall, of said city, on Tuesday, the twenty-fifth day of February, one thousand seven hundred and sixty-six, present John Cru-ger, Esq., Mayor of this Board, did thereupon unanimously resolve and order, that the angular piece of ground, prayed for by the petitioners, containing eight lots and a half, of twenty-five feet by one hundred each, agreeable to a survey now laid before this Board, lately made thereof by Francis Marschalk, one of the city surveyors, containing one hundred and fifty-two feet on the south-westerly side, two hundred and fourteen feet on the north-westerly side, sixty-two feet on the north-easterly side, and two hundred feet on the south-easterly side, be granted to Messrs. John Rodgers and Joseph Treat, the present ministers; William Smith, Garret Noel, Nathaniel McKenly, Peter Van Brugh Livingston, John Smith, Thomas Jackson, the present elders; John Stephens and Peter Riker, the present deacons, and Thomas Smith, Peter R. Livingston, Joseph Hallet, John Lashier, junior, William Smith, junior, John Dunlap and John Morin Scott, the present trustees of the said English Presbyterian church of the city of New York, and to their heirs and assigns forever, according to the

prayer of the said petition, and the said report offer reasons and survey, under the yearly rent of forty pounds, to commence from the first day of May next; and that the Clerk of this Board prepare the draft of the grant accordingly, that the grant of the same ground may be made out and issued under the seal of this Corporation, with all convenient speed. Now this indenture witnesseth, that the said Mayor, Aldermen and Commonalty of the city of New York, for and in consideration of the pious and laudable designs of the said parties of the second part, and of the rent and conditions hereinafter reserved and contained, and also of the sum of ten shillings, lawful money of New York, now paid to the said Mayor, Aldermen and Commonalty, have granted, bargained and sold, aliened, released and confirmed, and by these presents do grant, bargain and sell, alien, release and confirm unto the said John Rodgers, Joseph Treat, William Smith, Garret Noel, Nathaniel McKenly, Peter Van Brugh Livingston, John Smith, Thomas Jackson, John Stephens, Peter Riker, Thomas Smith, Peter R. Livingston, Joseph Hallet, John Lashier, junior, William Smith, junior, John Dunlap and John Morin Scott, in their actual possession now being by virtue of a bargain and sale to them, thereof made for one whole year by indenture, bearing date the day next before the day of the date of these presents, and by force of the statute for transferring uses into possession, and to their heirs and assigns forever, all that certain tract, piece or parcel of ground, situate on the easterly side of the Commons, and to the north-east of the street called Beekmans street, continued with a breadth of thirty-six feet to the Commons next adjoining to the said Vineyard, and at the north end of the said Vineyard, which said tract or piece

of ground hereby granted, begins at a corner where the line of the north-easterly side of the said Beekmans street is intersected by the line of the westerly side of Kip street, and runs thence north fifty-two degrees; east two hundred feet; thence north thirty-two degrees; west sixty feet in the course of George street, towards the Commons; and then from the end of the said sixty feet, south seventy-eight degrees; west two hundred and fourteen feet; and thence south thirty-two degrees; east one hundred and fifty-one feet, to the place of beginning, according to a map or chart thereof made by Francis Marschalk, one of the sworn surveyors of this city of New York, which for greater certainty is hercunto annexed; and all advantages, emoluments, paths, water-courses, ways, easements and hereditaments whatsoever to the same tract, piece or parcel of land in anywise appertaining, or which now are, or formerly have been accepted, reputed, taken, used, occupied or enjoyed to, or with the same, or as part, parcel or member thereof; and also the reversion and reversions, remainder and remainders, rents and services thereof, or of any part thereof, with their appurtenances; and also all the estate, right, title, interest, claim and demand whatsoever, both in law and equity, of the said Mayor, Aldermen and Commonalty of, in and to the same, or any part thereof. To have and to hold the said tract, piece or parcel of ground, hereditaments and premises, with the appurtenances, unto them, the said parties of the second part, hereinabove particularly named, their heirs and assigns, to the only proper use and behoof of the same parties of the second part, and their heirs and assigns forever, under the conditions hereinafter particularly mentioned, to wit: so as the parties of the second part herein-

above particularly named, or either of them, their, or either of their heirs, executors, administrators or assigns, or any of them, shall and do, within ten years from the date of these presents, inclose the said tract or parcel of ground above-mentioned and hereby granted, within a good and sufficient fence, and either erect an edifice or church thereon, or on part thereof, for the worship of Almighty God, or use the same or a part thereof, for a cemetery or church-yard, for the burial or interment of the dead, and shall not appropriate, apply nor convert the same at any time, forever thereafter, to private secular uses, and under this further form of condition as followeth, to wit: so as the aforesaid parties of the second part, hereinabove particularly named, or either of them, their, or either of their heirs, executors or administrators or assigns, or any of them, shall and do pay, or cause to be paid, unto the Mayor, Aldermen and Commonalty of the city of New York, for the time being, for the use of the said Mayor, Aldermen and Commonalty, the sum of forty pounds, lawful money of New York, on the first day of May next; and on the first day of May, in every year thence ensuing, forever thereafter, that then this present indenture and grant, and every thing therein contained, shall remain in its full force and virtue forever. But if it shall happen that the aforesaid parties of the second part above-named, and their heirs, executors and administrators, and every of them, shall not, in ten years from the date of these presents, inclose the said tract or parcel of ground as aforesaid, and either erect thereon or on any part thereof, a church or edifice for the public worship of Almighty God, or use the same or a part thereof, for a cemetery or church-yard, or shall at any time thereafter

appropriate, apply or convert the same to private secular uses, or if they shall make default in the payment of the said sum of forty pounds, or any part or parcel thereof, contrary to the form above-written; and that the same, with the lawful interest thereof, from the first day of May, whereon the same ought to be paid, shall be behind and unpaid, by the space of nine months next after either of the said days, or times whereon the same should, or, of right, ought to be paid, as aforesaid; that then, and from thenceforth, it shall and may be lawful to and for the said Mayor, Aldermen and Commonalty of the city of New York, and their successors and assigns, into all and singular the aforesaid premises with the appurtenances to re-enter, and the same to them and their successors, as their former estate, to have again and enjoy, this their present writing, or any thing in the same contained, or any estate hereby conveyed to the contrary, notwithstanding. And the said Mayor, Aldermen and Commonalty of the city of New York do, for themselves and their successors, covenant and grant to, and with the said parties of the second part, their heirs, executors, administrators and assigns, in manner and form following: (that is to say) that they, the said parties of the second part, their heirs and assigns, paying the said yearly rent of forty pounds, as aforesaid, and the other condition above-mentioned, shall and may, from time to time, and at all times forever hereafter, peaceably and quietly enter into, have, hold, use, occupy, possess and enjoy, all and singular, the said premises above-mentioned, and hereby granted with the appurtenances, without any let, trouble, hindrance, molestation, interruption and denial of them, the said Mayor, Aldermen and Commonalty of the city of New York, or their

successors, and of any other person and persons whatsoever, lawfully claiming or to claim, by, from, or under them, or by or through their acts, means or procurement. And also, that the said piece or parcel of ground, hereditaments and premises, hereby granted or intended to be hereby granted, as aforesaid, and every part and parcel thereof, with all and singular, their, and every of their appurtenances, now are, and be freed and acquitted, exonerated and discharged of and from all and all manner of former and other bargains, sales, gifts, grants, feoffments, releases and incumbrances whatsoever, had, made, committed, done, or suffered, or caused to be had, made, committed, done or suffered, by the said Mayor, Aldermen and Commonalty of the city of New York.

In testimony whereof the said Mayor, Aldermen and Commonalty of the city of New York, on [L. s.] the one part, have to these presents caused the common seal to be affixed, and the parties of the second part have interchangeably set their hands and seals, the day and year first above-written.

By order of the Common Council,

AUG. V. CORTLANDT, *Clerk.*

(C)

Resolved, That the Commissioners of the Sinking Fund will recommend to the Common Council the adoption of such measures as will remove the restriction in the grant to the Rev. Dr. Rogers and others, to wit—that the grantees should “Erect a church thereon, or use the same or a part thereof for a cemetery, or church-yard, for the burial or interment of the dead, and should not appropriate, apply

nor convert the same at any time forever thereafter to private secular uses." It being understood that the Trustees of the Church are to pay the assessment for widening Beekman street, and are to receive the sum awarded to them for damages, and are to settle with the owners of vaults, as well, those cut off by the opening of the street, as others not affected by it; and that the land, remaining, after the opening of Beekman street, shall be sold at public auction, fixing the minimum for the eight lots at two hundred and twenty-five thousand dollars, and that one-fourth part of the proceeds of the sale shall be paid into the city treasury, for the benefit of the Sinking Fund, or be secured by a mortgage on the premises, on such terms and conditions as shall be satisfactory to the Commissioners of the Sinking Fund.

(D)

NEW YORK, April 6th, 1853.

At a meeting of the Board of Trustees of the Brick Presbyterian Church, held this day, the following resolutions were adopted:

Resolved, In view of the contemplated change of location of the Brick Church, and in order that their church-grounds in the Second Ward, which may remain after the widening of Beekman street, may be sold to the best advantage; that it be proposed to the Corporation of the city of New York, to unite with the Trustees of the Church in a sale of said church grounds, at public auction, the proceeds of sale to be divided as follows—twenty-five per cent. to the city Corporation, and the remaining seventy-five per cent. to the Brick Church.

Resolved, That in agreeing upon such sale, it be provided as one of the terms of sale, and of this proposition, that the said plot of ground be put up for sale at the sum two hundred and twenty-five thousand dollars as the minimum price, and that the same be sold, without reserve, to the highest bidder, over and above that sum.

Resolved, That in making this proposal to the Corporation, and also, in the terms of sale, it be understood, and expressly provided that the Church reserve to itself the privilege and right of taking the bell, and the bell-rigging, and all the moveable property connected with the church edifice.

Resolved, That the Church, by the above proposal, reserves the right to the award made by the Commissioners of Estimate and Assessment for the widening of Beekman street, with which it is understood the Church is to satisfy the claims of all the vault-owners.

Resolved, That by the terms of any sale that may be made, respect be had to the remains of those bodies which are interred in the church grounds, and that proper provision be made, by the Trustees, for their removal to a suitable place in some convenient public cemetery, and that sufficient time be allowed for that purpose.

Extract from the minutes.

THOMAS EGLESTON, *Clerk*.

DOCUMENT No. 38.

BOARD OF ALDERMEN,

APRIL 19, 1854.

The following report of the Committee on Public Health, in favor of concurring with the Board of Councilmen in resolution to pay William B. Reynolds amount due him on contract for removal of blood, offal, and other refuse substances from the city, was received, laid on the table, and ordered to be printed, together with the communication from the Comptroller on the same subject.

D. T. VALENTINE, *Clerk.*

The Committee on the Public Health, to whom was referred the annexed preamble and resolution from the Board of Councilmen, respectfully

REPORT:

That, in consequence of the attention which the contract with Wm. B. Reynolds has attracted in the public mind, and the determination with which the Comptroller has refused to perform it on the part of the city, notwithstanding the action of the Common Council, of the Mayor and

the City Inspector, and two decisions of the Supreme Court against him, they have given the subject a careful consideration, and have examined to see if there were any well founded objections to the contracts being performed on the part of the city; and they were surprised to find that the action of the Comptroller was founded on so slender a basis.

In his communication to the Common Council of the 1st February, 1854, he says he refused to perform the contract "on the ground that it was illegally made, that it had not been fully performed," &c.; and that, "before refusing payment, he was furnished with the opinion of the District Attorney, who had examined the subject with care, and who was in possession of such facts, acquired in the discharge of his official duties, as to induce him to give his opinion that the city ought not to pay on the contract." In his examination before the Committee on Public Health on the 30th of May, 1853, he says that it was from his examination of the affidavits of John Brady and John Green, taken before the Recorder, and from a conversation with J. J. Duryea, that he considered it his duty to suspend any further payments.

In his return to the Supreme Court, in answer to the mandamus issued against him, he gives as his reasons for not performing the contract, that the City Inspector had no right to make it; that the rates of charge allowed Reynolds exceed in expense the rates of charge for like services then being paid or agreed to be paid by the city; that the City Inspector had no right to make a requisition upon him, and did not ascertain that there was a certain sum due Reynolds on the contract; that the claim of Rey-

nolds had not been presented to the Comptroller to be audited; that the Common Council had no right to pass a resolution affirming the contract and directing him to pay the sum due upon it, and that Reynolds had not performed on his part.

And in his affidavit, in answer to the application to the Supreme Court for the mandamus, he gave as his reasons that the contract was illegally made, that Reynolds had failed to perform it; that the City Inspector was interested in it, and that the claim had never been audited.

Struck, as the Committee were, with the variance in the excuses given at different times for not performing the contract, the Committee yet felt themselves called upon to examine them all, not merely as an act of justice to the parties interested, but because of the large addition to the indebtedness against the city in the shape of interest and costs of suit with which the city may be saddled, in case the refusal to perform is without just excuse.

These various objections have been examined at different times, by different persons, and in every instance the decision has been against the action of the Comptroller. Twice the Supreme court has decided against him. Two City Inspectors have insisted that Reynolds ought to be paid. The last Common Council, after a careful examination of the subject, and affording to the Comptroller a full opportunity of proving whatever he could, affirmed the contract and directed him to pay; and the Board of Health, the City Inspector and the Mayor have insisted upon Mr. Reynolds going on with the performance of the contract. The Mayor in his letter of the 14th of March, says, "Mr. Reynolds has always exhibited to me a ready desire to

carry out the stipulations of his contract, and an equal readiness to meet any investigation, either as to its legality or the manner in which it was awarded. I certainly consider him entitled to be compensated for the work he has performed; and I did then, and do now consider that this is one of the most important contracts entered into by the city. The public health depending so much upon the fidelity and promptness with which it is carried into operation; and so far as I can learn, Mr. Reynolds has faithfully performed his share of the responsibility."

But more than this, the Comptroller has himself affirmed the contract in such manner that, if he was individually a party to it, he would be estopped by his own action from refusing to perform it. Thus, he paid Mr. Reynolds the amount coming to him on the contract for the months of January and February, 1853; and in his communication of 9th February, 1854, he says he proposed to Mr. Reynolds to surrender the contract, and "receive his pay for the work done *to the present time.*" He paid two thousand four hundred dollars for rent of a pier for the use of the contract; (when, by the way, the city was under no liability to pay any thing,) two thousand three hundred dollars and twenty-four cents for the lease of another pier for the use of the contract, and over "three thousand dollars for damages done to his boat by a mob." And his predecessor in office faithfully performed the contract, by paying what was earned under it for the eight months prior to the 1st January, 1853.

Under these circumstances, and Mr. Reynolds having always performed his part of the contract, the Committee cannot see any escape for the city from the ultimate pay-

ment of what he may earn under it, and they are advised that thus it is under a legal obligation to pay, from which there is no escape.

The charge that the contract was illegally made, in the first instance, has been passed upon by the Supreme Court, and decided against the Comptroller. The only answer to that which that officer has, is an opinion of Mr. N. B. Blunt. Mr. Blunt, in his testimony before the Committee, in June, 1853, said that he "had nothing to do with the matter, in any shape, except in his official capacity;" and the Committee cannot see how it is within the scope of the office of District Attorney to advise on this subject. But, even if it is, the only objection he makes, is, that the Common Council usurped executive power in inserting Mr. Reynolds' name in the resolution directing the City Inspector to make the contract. The decision of the Supreme Court is, to the Committee, a sufficient refutation of that objection; but, in the mean time, it seems to them that it is hardly worth while to hazard the health of the city for so inconsiderable an objection, nor does it seem to them to be very just, to hold the contractor responsible for an act over which he had no control.

The charge that the contract has not been fully performed by Mr. Reynolds, is entirely unsupported by proof. The Comptroller has had abundant opportunity to produce his proof of this charge, both before the Supreme Court and the Committees of the Common Council; but he has never produced any. And, on the other hand, both the Mayor and the City Inspector have certified that it has been fully performed.

As to the allegation, that the Comptroller found sufficient cause for his refusal, in the stories told by John

Brady, John Green and J. J. Duryea, it is a sufficient answer for the Committee, that the affidavits of Brady and Green were taken secretly, without the knowledge of Reynolds, without any opportunity to him to cross-examine or confute them, and that they refused to appear before the Committee, to give testimony in his presence. And, as to Duryea, his relation of his conversation with the Comptroller is so different from that officer's understanding of it, that it is by no means a sufficient ground on which to base any action.

The charge that the City Inspector was interested in the contract, was so completely refuted the moment it was made, that it was abandoned by the Comptroller.

The charges made in the proceedings in the Supreme Court, have been passed upon by that court, and decided against the Comptroller. The case was twice before the court—once at the Special Term, before a single justice, when the only question decided was, whether the proceeding by mandamus was the proper one—and the next time, before three justices, (not five) at the General Term, when all the legal questions involved were considered and decided.

From the statement of those questions, already made in this report, it can easily be seen, by every member of the Board, that they are merely technical—mere legal quibbles, in no way involving any question on the merits, and are of such a character that no honorable merchant would, for a moment, stoop to them. And it certainly does not comport with the character of the city, to seek to avoid, upon such pretences, the payment for services which have

been faithfully rendered to it, and from which the public health has derived such advantages.

The Committee have taken some pains to investigate the charge, that Mr. Reynolds has not performed his part of the contract. The letter of the Mayor and the City Inspector, and the affidavit of the former City Inspector, which are hereto annexed, (and they are the officers who, of all others, would be most likely to know the fact) show that, to their knowledge, there has been no ground of complaint. Several butchers have been examined before the Committee, and it is manifest that, if it ever happens that the offal from the slaughter houses is not removed, it is not the fault of the contractor, but of those in charge of the slaughter houses, who have omitted to give notice at the proper places. In fine, it appears from their examination that there is no well-grounded cause of complaint; and, on the other hand, the Committee are impressed with the importance of having the contract well carried out.

It is the opinion of the Mayor and of the City Inspector, that the contract is an advantageous one for the city, and of the highest importance to the public health. The warm weather will soon be at hand, when any interruption in the work may be attended with serious consequences. In one month, during the past summer, Mr. Reynolds' performance of his agreement caused to be removed seven hundred and twenty dead horses and cows, one thousand three hundred tons of offal from slaughter houses, two hundred and seventy-seven tons of other nuisances, sixty-two tons of bones, eight hundred and eighty-three dogs, one hundred and eleven cats, six sheep, fourteen hogs, and four thousand four hundred pounds of diseased mutton. It will not be long

before a similar, and even a larger quantity must be removed every month, and it requires no argument to show how injurious it may be to have the work interrupted. It is now more than a year since the contractor has received any pay for his services. Under the earnest remonstrances of the Mayor and the City Inspector, he has, notwithstanding this default, gone on performing his contract. It cannot be expected that he should long continue the performance of so important and expensive a task without remuneration. And in the absence of any well-grounded charge of neglect on his part, it does not appear to be just, any longer to withhold the compensation that is due him.

The substantial justice and merits of the case are clearly with Mr. Reynolds. The imputations of fraud and corruption which clamor has raised against the contract, have never been substantiated, often as the chance to do so has been afforded. He has performed his contract to the entire satisfaction of the proper officers. He has afforded every opportunity to investigate his contract, the performance of it, and the manner in which it was obtained ; and nothing is now in the way of his receiving the reward due to the faithful performance of his duty, but the pertinacity with which the Comptroller adheres to objections which, however honestly taken in the first instance, have all been disproved or abandoned.

Therefore, the Committee recommend a concurrence with the resolution.

All of which is respectfully submitted.

| | | |
|---------------------|---|--|
| J. W. BROWN, | } | <i>Committee on Public Health.</i> |
| WM. BOARDMAN, JR., | | |
| GEO. A. TROWBRIDGE, | | |

CITY AND COUNTY OF NEW YORK, ss.:

A. W. White, of said city and county, being duly sworn, deposes and says, that in and during the month of April, 1852, he was the City Inspector of said city, duly elected, and acting as such. That on or about the 24th day of said month of April, a contract was duly made in writing, between him, as such City Inspector, and one William B. Reynolds, by order and direction of the Common Council, for the removal of offal, dead animals, &c., and that the prices therein mentioned and agreed to be paid to said Reynolds for such services, and under which said Reynolds is now acting, are the same prices in amount as those paid formerly by deponent as such City Inspector, for the same services to said Reynolds, previous to this or any contract being made.

A. W. WHITE.

Sworn to before me, this 19th
day of April, 1854.

R. C. DOWNING,
Commissioner of Deeds.

CITY INSPECTOR'S OFFICE, }
NEW YORK, April 19, 1854. }

Alderman William Boardman, Jr.:

In answer to your note, I beg leave to state, that so far as I am aware of, Mr. Reynolds has fulfilled the terms of his contract for the removal of dead animals, offal, &c.

Some complaints were made at one time, that he neglected to take away the offal from certain slaughtering houses, to which I immediately directed his attention, and I have not heard of an additional offence of the kind.

He has ever been willing to fully comply with the terms of his contract since I have officially had any thing to do with the subject.

The amount of offal, &c., that he takes from the city every month, ranges from eight hundred to fourteen hundred tons.

Respectfully yours,

THOMAS K. DOWNING,

City Inspector.

COMPTROLLER'S COMMUNICATION.

FINANCE DEPARTMENT, COMPTROLLER'S OFFICE, }
New York, April 13, 1854. }

To the Common Council:

As there is now before the Board of Aldermen a proposition to pay Wm. B. Reynolds the full sum claimed by him under a contract made with the Common Council, on the 24th day of April, 1852, with interest on the amount of the several monthly payments which have been withheld on account of the invalidity of the contract, and the non-performance of some of the stipulations contained in it, I consider that it is incumbent on me to call the attention of the Board to the propriety of a full investigation of the subject, in order to ascertain how far the contract, if deemed valid by the Common Council, has been carried into effect.

I present herewith a copy of the contract with Wm. B. Reynolds, marked A, and a copy of an opinion of the District Attorney, N. B. Blunt, Esquire, as to its validity, marked B.

The contract provides that the city will pay to Wm. B. Reynolds, for the faithful performance of his part of the agreement, the following sums of money, to wit :

For removing dead animals, cows, horses, &c., from all parts of the city, and carrying the same away in boats to Barren Island, per head, two dollars and fifty cents.

For removing butchers' blood and offal, &c., from the slaughter houses, &c., to boats, per month, fifteen hundred dollars.

For removing soap boilers' nuisances, fish, offal, &c., from all parts of the city, per month, six hundred dollars.

For removing garbage from hotels and public buildings, vacant lots, &c., other than such as is collected and required to be removed by the carts of the Commissioner of Streets and Lamps, per month, four hundred dollars.

For collecting and removing bones, &c., from the streets and all parts of the city, per month, four hundred and ninety dollars.

For removing dead dogs, cats, &c., from the streets and all parts of the city, per month, one hundred dollars.

For lime for disinfecting, &c., per month, thirty dollars.

And for removing or carrying all the above substances, nuisances, animals, blood, offals, &c., &c., away from and beyond the limits of the city to Barren Island, or elsewhere, *nineteen dollars per day FOR EACH SIDE OF THE CITY, ONE BOAT FROM EACH RIVER, AS AFORESAID, making thirty-eight dollars per day.*

There are six items in the contract, as shown in the preceding statement, for which Mr. Reynolds is to receive a fixed sum for each month, amounting to a total, for those items, of three thousand one hundred and twenty dollars per month, equal to thirty-seven thousand four hundred and forty dollars per annum. This sum is fixed, and is not dependent on the number of loads removed, or in any respect on the amount of service rendered.

The contract, then gives him nineteen dollars per day for carrying away to Barren Island the animals and offal from the North river side, and the same sum from the East river, which is thirty-eight dollars for each day in the year for this service, equal to seven thousand nine hundred and thirty-five dollars for each river, or fifteen thousand eight hundred and seventy dollars for both rivers, during the year. It might be supposed that the payment of this last sum should be dependent on the contractor's carrying away the offal from both rivers; but the Common Council of 1853 thought otherwise.

The item for removing dead horses and cows from all parts of the city to the boats makes the amount dependent on the number of animals removed. In March, 1853, the number was reported to be four hundred and twenty-eight, which, at two dollars and fifty cents each, is equal for the month to the sum of one thousand and seventy dollars, and for one year equal to twelve thousand eight hundred and forty dollars.

A summary of these fixed and floating items gives the following aggregate :

| | |
|---|----------|
| Garbage, bones and dead dogs and cats..... | \$37,440 |
| Dead horses and cows..... | 12,840 |
| Removing above, including soap boilers' nuisances, to Barren Island..... | 15,870 |

Total payments under the contract for a year, \$66,150

It will be seen, by referring to the resolution of the Common Council of the 16th of April, 1852, embraced in the first paragraph of the contract (marked A), that the contract was to be made on terms "*not to exceed in expense*

the cost of the present rates of charge for removal, and terms of contract for transportation of the same beyond the limits of the city."

In scrutinizing this contract, and examining into its legal bearings on the interests of the city, it is important that the Common Council should ascertain at what rate the service of removing animals was performed at the time the above resolution was adopted. The contract with Coles, as stated in one of the affidavits appended to the report of the Committee of the Board of Health, June 18, 1853, was made in the fall of 1850, and soon thereafter assigned to Reynolds or his associates. He, therefore, can produce that contract, and show whether its terms were followed in the resolution of the Common Council of 16th April, 1852, was complied with or not. The contract with Coles was for one year, and the payments from the treasury, under that contract in 1851, and under the Reynolds contract in 1852, differ nearly forty thousand dollars.

In the year 1851, as the payments show, the average sum paid per month was two thousand one hundred and thirty-three dollars. For five months in 1852, the average sum paid per month was three thousand one hundred and eighty-seven dollars. For seven months from May 31, 1852, (the present contract is dated April 17th, 1852) to January 1, 1853, the average sum paid per month was five thousand four hundred and forty-six dollars. These averages would show an expenditure in 1851, under Coles' contract, equal to twenty-five thousand five hundred and ninety-six dollars; which expenditure, under Reynolds' contract, required by the resolution to be modelled on the same terms, was in 1852 increased to sixty-five thousand three hun-

dred and fifty-two dollars, being an increase, although, by resolution of the Common Council, it was "not to exceed in expense" the costs of the rates of the previous contract of thirty-nine thousand seven hundred and fifty-six dollars. How and when was this extraordinary increase made? By the resolution of April 16, 1852, the terms were "*not to exceed in expense the case of the present rates of charge for removal.*" This matter ought to be cleared up, and the contractor alone have the means of doing it. With the exception of the two dollars and fifty cents each, for carrying the dead horses and cows to the boat, the pay is a round sum per month; and the increase of the articles removed, if the resolution had been adhered to in fixing the terms of the five years' contract to correspond with the one to Coles for *one* year, would only add at the rate of twenty shillings a piece for the increase of cows and horses, which increase, instead of burdening the contractor, would add largely to his profits.

The terms and conditions of the contract with Coles, which it is understood was assigned to Reynolds, and which by the resolution referred to, purported to form the basis of the present contract, and the reasons why the fixed sums on most of the items were increased from twenty-five thousand dollars in 1851 to sixty-five thousand dollars for the subsequent twelve months, can probably be explained, and perhaps satisfactorily, to the Common Council, by Dr. White, late City Inspector. Whilst Aldermen Oakley and Sturtevant, the majority of the Committee on Public Health, examined numerous witnesses, and made an elaborate report in 1853, they did not examine Dr. White on these points, but gave an affidavit

made by him in a case where certain individuals were prosecuted for a breach of the ordinances, which secured all the dead animals to the contractor.

It is important to obtain a copy of the Coles' contract, in order to compare the items with the Reynolds' contract. There is an item of "soap-boilers' nuisances," which has a prominent place in the present contract, and it is desirable to know whether this item was in Coles' contract, and what the service of removing these nuisances amounts to, before payment is resolved on.

In regard to the item of seven thousand nine hundred and thirty-five dollars, for carrying to Barren Island, dead animals and offal, daily, from the pier built by the city in 1852, at the foot of Fortieth street, North river, expressly for this purpose, there seems to be no propriety in paying this sum, since the service has not been performed. One of the witnesses, whose affidavit is appended to the report of the Committee on Public Health, (Doc. 32; Aldermen, 1853,) states that "the contractor has a boat at the foot of Fortieth street, for the purpose of receiving the blood and offal. The blood from it I have seen, both day and night, dumped therefrom into the river, along side of the dock. But since last summer, the boat has remained permanently there, and nothing has been carried away in said boat, or in any other boat receiving the contents of this boat, to the best of my knowledge and belief; and for the last five or six months the said boat has not been used for receiving any thing."

This is either true or not true, and the legislative department has the power of calling witnesses and establish-

ing the validity or invalidity of the statement. If the statement is true, why should the contractor, as provided in the resolution, now before the Common Council, be paid nearly eight thousand dollars per annum, with interest thereon, for a work which he engaged to perform, but which has not been performed according to the agreement? Mr. Reynolds' excuse for non-performance in carrying away the dead animals, daily, from the foot of Fortieth street, on the North river is, that difficulties were encountered, and that prominent individuals on the North river side advised him to carry the dead animals across the town to Thirty-fourth street, and that it made no difference to the city whether he removed the animals and offal exclusively from one point or two.

It is sufficient to say, that when a person engages to perform a specified service, in a particular way, and is to have a large compensation for it, he is bound to perform according to the terms of the contract, before he calls on the treasury for payment. It is not sufficient for him to say, that it makes no difference to the city whether he performs according to the true intent and meaning of the contract, or in a mode more convenient to himself.

But, in the case under consideration, it does make a vast difference to the city, whether the dead animals and offal are removed, daily, from both sides of the town, and from the East and North rivers, or whether the necessary time is taken to concentrate all the dead animals and offal at one point.

This is a question which is intimately connected with the health and comfort of the inhabitants generally. In

every section of the city the inhabitants will remonstrate against the selection of a pier in their vicinity as a dumping place for any of these nuisances, but more especially for all the nuisances of the city. Every reasonable person, however, can readily be convinced that it is best for all, that these nuisances should be removed from the city, in the speediest manner practicable; and by dividing the city, as is done by the contract, into two sections, one on the East and the other on the North river, and by removing the animals, as soon as they are dead, promptly and daily, from each side, as Mr. Reynolds stipulated, putrefaction would not take place before the carcasses were removed from the city, and the grounds of complaint would be in a great measure removed. There is no doubt that the nuisance at the foot of Thirty-fourth street, which occasioned the outbreak and destruction of the contractor's boats in 1853, and which cost the city treasury three thousand dollars, was greatly aggravated, if not produced, by carrying the dead cows from the foot of Fifteenth street, and the dead horses from the west side, entirely across the town, to the East river. In the time occupied, necessarily, in making the collection, the carcasses became putrid, and when dumped from the carts on to the boat, the whole atmosphere was impregnated with an effluvia which sickened the inmates of the tenements in the vicinity of the dumping place. The neglect of Mr. Reynolds, therefore, in omitting to carry away the dead animals on the west side of the town daily, from the foot of Fortieth street, is a very serious breach of his contract, which has probably cost the city, already, three thousand dollars; and he can have no just claim to draw from the treasury nineteen dollars per day for this omission.

There is an item in the present contract, of one thousand five hundred dollars per month, equal to eighteen thousand dollars per annum, for removing butchers' blood, offal, &c. Was this item in the Coles' contract of 1851, which was assigned to Reynolds, and made the basis of the present contract? The City Inspector has been called on for a copy of this contract; but he says, in a note of this date, (April 17,) "I have never seen the contract in question; I have searched, repeatedly, for it, but without avail." Dr. White, therefore, alone, can account for the original, and Mr. Reynolds for the counterpart; and it is not to be supposed that either of them would refuse to produce the document, if called on by either branch of the Common Council.

There is an item of four hundred dollars, per month, equal to four thousand eight hundred dollars per annum, for "removing garbage from hotels and public buildings." The Street Inspector expends, annually, over a hundred thousand dollars in removing garbage and ashes from the dwellings and from the city; and it is important to ascertain, 1st, whether this item was in the Coles' contract; and, 2d, to ascertain, from those having charge of hotels and public buildings, to what extent the contractor has performed this service.

The opinion of Mr. Blunt, the District Attorney, which was communicated by him to the Comptroller, in consequence of information which came to his knowledge in the discharge of his official duties, is appended, and marked B. The authorities referred to by the District Attorney, clearly show, that the acts of the Common Council of 1851, are under the control of their successors in 1854. One Common Council cannot, by any private contract, bind the

capacities of its successors. This, says Judge Nelson, is a proposition too clear for argument; and he adds, that were it otherwise, every public duty, being the subject of contract, might be placed beyond the control of the city authorities, for any given length of time, until nothing would be left for the exercise of legislative discretion.

According to the decisions of the highest courts of the state, the Common Council is not restrained by the legislative acts of its predecessors, and can direct the reletting of the contract for the removal of offal and dead animals, giving to Mr. Reynolds protection for all his outlays and preparations for carrying on the business, as fully as is given in changing ferry leases. If the parties who, at the expiration of the Colcs' contract, offered to perform the service for four thousand dollars, and for nothing; and those who now contend that the monopoly secured to Mr. Reynolds is worth fifty thousand dollars, beyond all expenses of doing the work, do not then come forward with adequate security, then their mouths will be sealed, and Mr. Reynolds will be secure in the quiet enjoyment of his contract.

If, however, it is resolved to waive the question as to the legality of the contract, until it is decided by the courts, the contractor ought to fulfill every part of the contract to entitle him to pay.

In a communication from this department, dated February 1, 1854, (Document No. 16,) it was stated that preliminary measures had been taken for an appeal from the decision of Judges Morris and Edmonds. The mandamus covered the claim of the contractor for two months,

amounting to something over eleven thousand dollars; a question arose whether an appeal from the decision in the mandamus case was a stay of the execution. This question has been argued before the Supreme Court, but the decision has not yet been made. If it is favorable to the contractor, the Comptroller must pay, and he would do it as readily as in any case where satisfactory vouchers are produced. If, on the contrary, the decision on this point is favorable to the Comptroller, will the resolution of the Common Council change the rule of the court in regard to the disposition of the money covered by the execution?

And, in regard to this whole matter, I have no other desire than to have the case fully and fairly investigated, and all the facts in regard to the terms of the contract of 1851, and the making of that of 1852, brought out; and if, on a view of the whole ground, it is found that the contract was legally made, and has been faithfully executed, the Comptroller will be as willing as any one to settle the matter with a just regard to the rights of the contractor, the interests of the city, and the just obligations resting on the Department of Finance.

All which is respectfully submitted.

A. C. FLAGG, *Comptroller*.

(A.)

ARTICLES OF AGREEMENT, made this twenty-fourth day of April, one thousand eight hundred and fifty-two, between the Mayor, Aldermen and Commonalty of the city of New York, by A. W. White, City Inspector, of the first part, and William B. Reynolds, of the city of New York, party of the second part.

Whereas, The said Mayor, Aldermen and Commonalty of the city of New York, parties of the first part, did heretofore, in Common Council convened, pass a resolution, of which the following is a copy, to wit:

Resolved, That the City Inspector be, and he is hereby empowered and authorized to contract with William B. Reynolds, for the removal, to a suitable place, from the various parts, and beyond the limits of the city of New York, of the blood, offal, and other refuse from the butchers' slaughter-houses, dead horses, other animals, and all bones, and other nuisances of a similar kind; and that the said contract be executed under the immediatedirection of the City Inspector, for a term of five years, not to exceed in expense the cost of the present rates of charge for removal, and terms of contract for transportation of the same beyond the limits of the city.

Adopted by the Board of Assistants, April 12, 1852.

Adopted by the Board of Aldermen, April 16, 1852.

Approved by the Mayor, April 17, 1852.

Now therefore, for the purpose of carrying into effect the provisions of said resolutions, this agreement witnesseth:

That the said party of the second part, for and in consideration of the sum or sums of money hereinafter mentioned and contained, covenants and agrees, to and with the said parties of the first part, that he shall, and will, for and during the full end and term of five years next ensuing the date hereof, collect from the various parts of the city of New York, all the blood, offal, and other refuse from the butchers' slaughter-houses, all dead horses and other animals, and all bones and other nuisances of a similar kind, so far as the same can be obtained by him, or of which he shall receive notice, and to remove the same to Barren Island, or some other suitable place, beyond the limits of the city.

And the said party of the second part further agrees to and with the said parties of the first part, that for the purpose of collecting and removing of the said articles, substances and nuisances above-mentioned, he shall, and will, during the said term, furnish and provide, at his own cost and expense, such number of carts, of a suitable character, as may be necessary to do the work promptly and sufficiently; and those to be used for the removal of blood and offal from slaughter-houses, shall be provided with tight covered boxes, or covered casks, in which to carry the same; which said carts shall be licensed by the City Inspector, and so designated and marked thereon. And shall, and will, at his own cost and expense, place at each of the Police Station houses in the city, proper and suitable boxes, for the reception of notices or orders for the removal of dead animals, &c., &c.

And further, that he shall, and will, at his own cost and expense, provide a sufficient number of boats, scows, barges,

or suitable and proper vessels, to be stationed on the North and East river sides of the city of New York, at the dock or docks designated and set apart for that purpose, to receive the said articles, dead animals, substances, &c., collected as aforesaid; and shall, and will, at least once in each day, (the weather permitting,) cause the said articles, dead animals, blood, offal, and other refuse, &c., thus to be collected, to be removed out of, and beyond the limits of the city, as before-mentioned.

And the said party of the second part further agrees to, and with the said parties of the first part, that he, the said party of the second part will, and he does hereby covenant and agree to indemnify and save harmless the said parties of the first part, of and from all loss or losses, damage or damages, which they can or may sustain by reason of his negligence or carelessness in the fulfillment of this contract, on his part and behalf to be performed and fulfilled, or in the prosecution, management or conduct of his said business.

And the said parties of the first part covenant and agree to and with the said parties of the second part, that for and during the said term of five years, or as long as this agreement continues in force, they shall and will, in pursuance of section one, of an ordinance entitled " Ordinance relative to the removal of butchers' blood and offals, bones, dead animals and other refuse substances from the city," passed by the Common Council, and approved by the Mayor, April 17th, 1852, designate and set apart for the use of the City Inspector, two of the docks and slips of the city of New York, one on the East river, and the other on the North river, to be used by the said party of

the second part, under the directions of the City Inspector, as a place of landing for such boats as may be required for the removal of the blood, offal, bones, dead animals, and other refuse substances, nuisances, &c., &c., before-mentioned and referred to, which said docks and slips, or such others as may be set apart for such purpose, shall at all times be secure to, and free access thereto shall be preserved for the free and uninterrupted use of the said party of the second part, for his boats, scows, &c., &c., and that the said City Inspector shall and will grant and execute proper licenses for all suitable carts for the carrying or transportation of said substances through the city, which the said party of the second part may provide and demand, pursuant to the terms of this agreement.

And the said parties of the first part, for themselves and their successors, further agree to and with the said party of the second part, that in consideration of the faithful performance by the said party of the second part, of his part of this agreement by him to be performed and fulfilled and kept, they the said parties of the first part shall and will, monthly, and for each and every month during said term, pay to the said party of the second part, through the City Inspector, or otherwise, the following sums of money, to wit: For removing dead animals, cows, horses, &c., from all parts of the city, and carrying the same away in boats to Barren Island, or some other place beyond the limits of the city, two dollars and fifty cents per head; for removing the butchers' blood and offal, &c., from the slaughter houses, &c., to boats, fifteen hundred dollars per month, and for removing soap boilers' nuisances, fish, offal, &c., from all parts of the city, six hundred

dollars per month; for removing garbage from hotels and public buildings, vacant lots, &c., other than such as is collected and required to be removed by the carts of the Commissioner of Streets and Lamps, four hundred dollars per month; for collecting and removing bones, &c., from the streets and all parts of the city, four hundred and ninety dollars per month; for removing dead dogs, cats, &c., from the streets and all parts of the city, one hundred dollars per month, and thirty dollars per month for lime for disinfecting, &c., and for removing or carrying all the above substances, nuisances, animals, blood, offal, &c., &c., away from and beyond the limits of the city to Barren Island, or elsewhere, nineteen dollars per day, for each side of the city, one boat from each river, as aforesaid, making thirty-eight dollars per day.

In witness, the said parties hereto have hereunto set their hands and seals the day and year first above written.

A. W. WHITE. [L. s.]

City Inspector.

WM. B. REYNOLDS. [L. s.]

Sealed and delivered }
in the presence of }

FRANCIS GROSS.

[B.]

*Office of the District Attorney of the City and }
County of New York, June 6th, 1853. }*

HON. A. C. FLAGG, Comptroller, &c.

DEAR SIR :—In an interview with you on the subject of the contract of William B. Reynolds, relating to the removal of dead animals, &c., from the city, I promised to furnish you with my reasons, in writing, why, in my judgment, no further payments should be made under that contract until a legal adjudication should be had of its validity.

My attention having been called, in my official capacity, to the contract in question, I was led to examine its character and the circumstances under which the contract was made, and thus, independent of any allegation or imputation of fraudulent conduct on the part of the Common Council, or any of its members, to form a judgment of its validity.

The result was, that deeming the contract invalid, I, in the discharge of my duty as a public officer, communicated my opinion to you, that opinion being, I believe, the basis of your action in the withholding further payment. Herewith I send my opinion in writing, as promised.

Very respectfully,

Your obedient servant,

N. BOWDITCH BLUNT.

OPINION.

On the 24th of April, 1852, a contract was entered into between the Mayor, Aldermen and Commonalty of the city of New York, by A. W. White, City Inspector, parties of the first part, and William B. Reynolds, party of the second part, based upon a resolution, of which the following is a copy:

"Resolved, That the City Inspector be, and he is hereby empowered and authorized to contract with William B. Reynolds for the removal to a suitable place, from the various parts and beyond the limits of the city of New York, of the blood, offal, and other refuse from the butchers' slaughter houses, dead horses, other animals, and all bones and other nuisances of a similar kind, and that the said contract be executed under the immediate direction of the City Inspector, for a term of five years, not to exceed in expense, the costs of the present rates of charge for removal and terms of contract for transportation of the same beyond the limits of the city."

Adopted by the Board of Assistants, April 12, 1852.

Adopted by the Board of Aldermen, April 16, 1852.

Approved by the Mayor, April 17, 1852.

Simultaneously with the passage of this resolution, an ordinance was passed by the Common Council, entitled as follows :

"An ordinance relative to the removal of butchers' blood and offals, bones, dead animals, and other refuse substances from the city."

The first section of this ordinance provides for setting apart, for the use of the City Inspector, two docks, one on the East; and one on the North river, to be under his sole control, for the loading of boats required for removing butchers' blood, &c., from the city.

The second section prohibits any other vessel from coming in, or lying at either of said docks.

The third section gives authority to the City Inspector to direct the removal of vessels, and the fourth and fifth sections are as follows:

§ 4. The contractor or contractors for removing the aforesaid dead animals, bones, and other refuse substances, shall furnish, from time to time, a suitable number of carts, to be licensed under the hand and seal of the City Inspector, for the purpose of transporting and removing said dead animals, bones, and other refuse substances in said city; and no person shall transport or remove any dead animals, bones, or refuse substances, in said city, unless licensed as aforesaid, under the penalty of twenty-five dollars for each offence, to be recovered from the person or persons so removing, or the owner or owners of the vehicle used for that purpose, severally and respectively.

§ 5. No dead animal shall be cast or thrown into the East or North rivers, or any water within the limits of the said city, but shall be removed by the persons licensed as aforesaid, for that purpose, to the docks and slips of the City Inspector, under the penalty of twenty-five dollars for each offence.

The contract, after reciting the resolution, provides "*that for the purpose of carrying into effect the provisions*

of said resolution," the agreement WITNESSETH, that the party of the second part (Wm. B. Reynolds,) in consideration of the sum or sums of money thereafter mentioned, agrees to and with the parties of the first part (the Mayor, Aldermen, &c.,) that he shall and will, during the full end and term of five years ensuing the date, collect from the various parts of the city of New York, all the blood, offal, and other refuse *from the butchers' slaughter houses*, all dead horses and other animals, and all bones and other nuisances of a similar kind, so far as the same can be obtained by him, or of which he shall receive notice, and remove the same to Barren Island, or some other suitable place beyond the limits of the city. That for the purpose of collecting and removing said articles, substances and nuisances, the party of the second part would keep and provide, during the term, at his own cost and expense, such number of carts as might be necessary to do the work promptly and efficiently; and those to be used for blood and offal from slaughter houses to be provided with tight boxes or covered casks; these carts to be licensed by the City Inspector and so marked, and that he would at his own cost and expense, place at each of the Police Station houses in the city, proper and suitable boxes for the reception of notices or orders for the removal of all dead animals, &c., &c.

It was further provided that Reynolds should, at his own cost and expense, provide a sufficient number of boats scows and barges, or suitable and proper vessels to be stationed on the North and East river sides of the city, at the dock or docks designated and set apart for that purpose, to receive the said articles, dead animals, substances, &c., &c., collected as aforesaid, and should, once

at least in each day (weather permitting) cause the said articles, dead animals, blood, offal and other refuse, &c., thus to be collected, to be removed out of and beyond the limits of the city as before mentioned. It was further agreed on the part of said Reynolds, to indemnify and save harmless, the parties of the first part from all losses or damages which might be sustained by his negligence or carelessness in the fulfilment of the contract on his part.

On the part of the Corporation it was agreed that so long as the contract should continue in force, they would, in pursuance of section 1st of the ordinance above quoted, designate and set apart for the use of the City Inspector, two of the docks and slips of the city, one on the East and one on the North river, to be used by Reynolds under the direction of the City Inspector, as a place of landing for such boats as might be required for the removal of the blood, offal, bones, dead animals, and other refuse substances, nuisances, &c., &c., before mentioned and referred to, said docks or slips, or such others as might be set apart for that purpose, to be at all times secure to, and free access thereto preserved, for the free and uninterrupted use of Reynolds for his scows and boats, &c., &c., and that the City Inspector should grant licenses to all suitable carts by Reynolds. Lastly, in consideration of the performance by Reynolds of the covenants, on his part to be performed the Corporation agree to pay as follows: For removing dead animals, cows, horses, &c., from all parts of the city, and carrying the same away in boats to Barren Island, or some other place beyond the limits of the city—two dollars and fifty cents per head; for removing the butchers' blood and offal, &c.,

from slaughter-houses, &c., fifteen hundred dollars per month; and for removing soap-boilers' nuisances, fish, offals, &c. from all parts of the city, six hundred dollars per month. For removing garbage from hotels and public buildings, vacant lots, &c., other than such as is required to be removed by the carts of the Commissioner of Streets and Lamps, four hundred dollars per month. For collecting and removing bones, &c., from the streets and all parts of the city, four hundred and ninety dollars per month. for removing dead dogs, cats, &c. from the streets and all parts of the city one hundred dollars per month, and thirty dollars per month for lime for disinfecting, &c. And for removing or carrying all the above substances, nuisances, animals, blood, offals, &c. away from and beyond the limits of the city to Barren Island, or elsewhere, nineteen dollars per day for each side of the city, one boat from each river, as aforesaid, making in all thirty-eight dollars per day.

Independent of the undefined nature of the services intended by the many " &c., &c.," contained in the contract, and the clashing interests growing out of the uncertainty in relation to that portion to be removed by the Commissioner of Streets and Lamps; upon its face there appear to be two clear objections to its validity, namely: the resolution recited in the contract, and the fixing its duration for five years.

The first is a positive violation of the 9th section of the amended charter, prohibiting the Common Council or its committees from performing any executive business, and falls within the decision of the Court in the case of *Christopher vs. The Mayor, &c.*, 13 Barb. S. C. Rep. 567, and

second is equally within the case of *Britton vs. The Mayor, &c.*, known as the street contract.

In the case of *Christopher vs. The Mayor*, Judge Edwards reviews the whole ground, and clearly establishes the invalidity of such a contract. That was a contract for the re-building of Washington market, in reference to which, there had been an advertisement for proposals, in pursuance of a resolution of the Board of Aldermen, but which had not, at the time of the publication, been concurred in by the Board of Assistants.

Judge Edwards, in giving the opinion of the Court, says :

"The principal grounds of objection which are taken to the validity of the resolution, are—*first*, That there was no advertisement for estimates; and, *second*, That the giving of the contract to Corlies, was an executive act which the Common Council had no authority to perform.

"The amended charter of the city of New York, provides that 'all contracts to be made *by authority* of the Common Council for work to be done, shall be made by the appropriate heads of departments, under such regulations *as shall be established by ordinances* of the Common Council.'" (Laws of 1849, § 23, p. 283.) Under this charter, an ordinance was passed by the Common Council, and approved by the Mayor on the 30th of May, 1849, entitled "An ordinance organizing the departments of the city of New York, and prescribing their powers and duties." This ordinance provides, that all work to be done, with certain specified exceptions, shall be performed by contract, (§ 493.) It also provides, that all contracts to

be entered into on the part of the Corporation, must be authorized by the Common Council, and when so authorized, shall be made by the department under whose direction the work is to be performed, (§ 492.) The ordinance further provides, that the several departments which are empowered by section 493 to make contracts on the part of the Corporation, shall issue proposals for estimates therefor, and *advertise the same in the Corporation papers for at least ten days before the day on which the estimates are to be opened*, (§ 495.)

“It appears then, by the charter and ordinances, that all contracts to be entered into on the part of the Corporation, must be authorized by the Common Council, and when so authorized, must be made by the departments under whose direction the work is to be performed, and they must be made according to the regulations established by the ordinances.

“This is a duty which he is to perform, after he has been ‘empowered’ by the Corporation to make the contract, and it is after he has received proposals for estimates, and not till then, that he is to make the contract.

“At the time that the advertisement, in this case, was published, the Corporation had not authorized the work to be done. A resolution had passed the Board of Aldermen only.

“It seems then, that the provisions of the charter and of the ordinances, which the charter required to be passed for the purpose of carrying out its provisions, have not been complied with, and any contract entered into in pur-

suance of the resolution passed by the Common Council, would be invalid.

"The next question is, whether the Common Council had the power to designate the person with whom the contract should be made.

"The ground on which the plaintiff contends that they have no such power is, that it is an executive act. The counsel for the defendants, on the other hand, contend that it is not necessarily an act of an executive character, but that it is one of these acts which partake so far of a legislative character, that it may belong to either department of the municipal government of the city. There may, undoubtedly, be some acts which do not come exclusively within either division of the powers of the government, and which may, without violence to language, be classed under either head, and perhaps this is one of that character. But it seems to me, that the Common Council, in passing the ordinances, which they have established for the purpose of regulating the making of contracts, have mutually acknowledged this power to be vested in the Department of Repairs and Supplies.

"The duties which are to be performed by that department as to obtaining estimates, and which are to be performed after the Common Council have authorized the contract, assume that the person is not to be designated until the necessary information has been obtained, and whatever conclusion we may come to, as to the general power of the Common Council in reference to the person with whom the contract is to be made, they certainly had not the power to designate the person with whom the con-

tract should be made, at the time and in the manner they did."

The language of C. J. Nelson, in the case of Britton vs. the Mayor, &c., is equally decisive :

"So far," he says, "as the argument goes to the regulation, mode and manner of cleaning and sweeping the streets, it partakes of the legislative power of the city ; and so far as it fixes upon the individual to execute the duties, it concerns the executive authority. Both, however, are public duties devolved upon the defendants in their municipal character, the execution of which is lodged in the Common Council. Then was it competent for this body to tie up and embarrass the execution of their public duties, whether legislative or executive, by contract or otherwise? In other words, was it in the power of the Common Council to bind its legislative capacities by any private contract or stipulations, so as to disable itself from enacting any law that might be deemed essential for the public good ?

"The proposition, I apprehend, is too clear for argument. It requires but little reflection to see that if this could be done by that body, or any representing the defendants, there would soon be an end of all legislation in the city. Every public duty being the subject of private contract or arrangement, like the one in question, might be placed beyond the control of the city authorities for any given length of time until nothing would be left for exercise of legislative discretion ; for if it were practicable for the Common Council to divest themselves of all power and discretion over any one public duty of which

they are made the sole depository by the charter, and to place it permanently in the hands of another, I do not see but the same thing might happen to all. It would be impossible to distinguish."

"It appears to me, therefore, if we had no decision on the subject, a consideration of the nature of these duties and the objects and purpose for which granted, would at once forbid all idea of any *power* on the part of the Corporation to divest itself of the right to exercise a constant control and supervision over the execution of them."

The contract in question, while it contains all of the objectionable features embraced within both decisions, is open to the further objection that it does not appear to have been the subject of advertisement in any manner, as required by the ordinances. Section 492 of the ordinance organizing the departments, as amended by the Ordinance of May 17, 1850, reads as follows :

"No contract shall be made until proposals therefor have been advertised, and estimates received and decided upon, as provided by this ordinance, except when otherwise provided by law; and no contract, for the payment of which an appropriation has not previously been made, shall be signed or executed until such contract and all the estimates relating thereto, shall have been laid before the Common Council, and an appropriation made therefor; (work and supplies to be done and furnished, where the same is to be paid by an assessment, made and collected by the Corporation excepted.)" I have been unable to find any law or ordinance dispensing with advertising, in this particular case, unless the resolution embodied in the contract is to be so considered; nor do I find any ordi-

nance repealing or dispensing with sections 496, 497, 499, 501 and 506 of said ordinance, and the amendments thereto, nor any compliance therewith, in this case, on the part of the contractor or the department.

I might present many considerations affecting the legality of this contract—such as the absence of public competition, the interference with personal rights, the want of that security which the ordinances require at the hands of contractors, and the vesting in a single individual for a term of years, (extending beyond the term of office, of alike the immediate head of the department at the time of making the contract, and of his successor in office, without adequate checks) of a power and duty vested in the Common Council, and one of the departments for public purposes, and involving in its discharge the most important interests of the city, thus bringing the case within the decisions of the courts in the Broadway and Second Avenue railroads cases, but I forbear. Upon principle and authority, I consider this contract invalid, and I adhere to the opinion verbally expressed to you, that no further payments ought to be made on account thereof.

N. BOWDITCH BLUNT.

NEW-YORK, June 6, 1853.

DOCUMENT No. 39.

BOARD OF ALDERMEN,

APRIL 21, 1854.

The following report of the majority of the Committee on Streets, in the matter of opening Albany street, was received, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Streets, to whom was referred the petitions of parties asking for a repeal of the ordinance extending Albany street to Broadway, through Trinity church ground, would respectfully

REPORT:

That they have examined the matter thoroughly, and devoted much time to hearing parties for and against the same. Both parties were represented by able counsel, who were heard at various times. Your Committee have also had before them a large number of petitions, and other papers for and against the same; and they are satisfied, after examining the several papers and petitions, that a majority of the property owners who would come within

the area of assessment, are not in favor of the said extension of Albany street, but are opposed to the same. Your Committee have also seen that there is much personal feeling existing between the parties for and against this extension; and the Committee have endeavored to divest themselves of all prejudice in this matter, as they have personal friends on both sides, and to decide, calmly and justly, from the plain facts before them.

The Committee have no doubt but that such an extension would be a great benefit to those doing business, and owning property on the west side of Broadway. But your Committee think that there should be a sanctity connected with every burial ground, that should shield them from ruthless invasion, and that the grave, where affection lingers, should not be desecrated and destroyed for mere pecuniary benefit, without the stern necessities of a *very large majority* demand it, or the public interest suffers much more than it does in this case.

The parties who appeared before your Committee in favor of the said extension, contended that Trinity church had, in more than one case, desecrated the burial grounds of other churches, and had even desecrated its own ground, by digging away and removing the graves of those there buried; but, if such has been the case, it does not now justify a still further desecration of any ground without a great demand for the same by the public voice.

Your Committee were well satisfied, upon the examination of this subject, that the parties opposing this extension will defeat it in the Supreme Court, as it appears that there is a large interest and a large majority oppos-

ing the same, and much larger than that advocating the said extension; and your Committee think that the city should not be put to a great expense by the effort for this extension, as it would be, if said extension should fail, as it appears to your Committee will be the case, should it come before the Supreme Court for confirmation. They would therefore offer the following resolution:

Resolved, That the ordinance, passed by the late Board of Aldermen, December 27th, 1853, and by the Assistant Aldermen, December 29th, 1853, and approved by the Mayor, December 31st, 1853, authorizing the extension of Albany street, through Trinity church-yard to Broadway, be, and the same is hereby repealed.

ORISON BLUNT, } *Committee*
J. W. BROWN, } *on Streets.*

The undersigned unites in the recommendation of the foregoing report, that all proceedings for the opening or extension of Albany street be discontinued. ●

But, as the subject has attracted much attention, and been extensively discussed in various quarters, he deems it due to himself to state more fully the grounds on which he has been led to that conclusion.

In June, 1851, a resolution was passed by the Common Council to extend Albany street, from Greenwich street to Trinity place, and Commissioners of Estimate and Assessment were thereupon appointed by the Supreme Court.

In March, 1852, a report, made by the same commissioners, was presented to the court for confirmation, but was referred back to them for revision and correction, and no subsequent report from the said commissioners, or other proceedings appear to have been since presented, or to have taken place in the said matter.

In the mean time, and about the commencement of the year 1853, certain owners and lessees of property in the First Ward, in the immediate neighborhood of the proposed extension, petitioned the Board of Aldermen, setting forth that they believed that public convenience would be materially promoted by extending Albany street to Broadway, and praying that such further action as might be necessary should be taken for that purpose.

Remonstrances against such extension to Broadway were also received, from the rector, church wardens and vestrymen of Trinity church, and from the owners of other property in the vicinity, and such petitions and remonstrances were referred to the Committee on Streets, who, on or about the 12th day of December, 1853, presented their report, and offered a resolution, recommending, in substance, that the resolution passed in June, 1851, for extending Albany street, from Greenwich street to Trinity place, be amended, so that Albany street should be further extended, from Trinity place to Broadway, and that the Counsel to the Corporation take the necessary legal measures to carry the same into effect. The said report and resolution, which will be found as Document No. 64, of the last Board of Aldermen, was taken up and passed by that Board on the 27th, concurred in by the Board of

Assistants on the 29th, and approved by the Mayor on the 31st of December last; and proceedings were thereupon taken by the Counsel of the Corporation to have the rule of court by which the commissioners for extending Albany street to Trinity place had been appointed in 1851, so altered and amended as to embrace the opening of Albany street to Broadway, and to appoint Commissioners of Estimate and Assessment in the matter so altered and amended. The application of the court for that purpose was noticed for the 11th February last, but the resolution referred to this Committee having been offered on the 12th of January last, while such notice was pending, no application in pursuance of such notice has as yet been made to the court, but the same remains suspended until some final action shall have been taken on the proceedings of the Committee.

Inasmuch as the resolution, referred to this Committee, proposes that all proceedings in regard to the opening of, or extending Albany street should be discontinued, as unnecessary, uncalled for, and not contributing to the general good and interests of the city, it has been deemed proper to give this brief statement of all such proceedings now pending and coming within the purview of the said resolution.

The undersigned is of opinion that such resolution necessarily imposes upon the Committee the duty of considering the propriety of repealing, not only the resolution, passed on the 31st December last, to continue the opening of Albany street, from Trinity place to Broadway, but also the resolution passed in June, 1851, to open Albany street, from Greenwich street to Trinity place, and of discontinu-

ing all legal proceedings which have been instituted under either of the said resolutions.

Of the two propositions then involved in the reference to your Committee, the proposed amendment, whereby it is contemplated to extend Albany street, through Trinity church-yard to Broadway, presents, in itself, the only important question to be determined.

The proceedings now pending, to open Albany street to Trinity place, do not appear to have excited any public interest or personal feeling, and it may be fairly assumed that they were instituted merely as a first step toward the contemplated extension to Broadway, and to obtain some foothold to overcome the impediment of cutting through Trinity church-yard, a measure which has always met with a strong and determined opposition from a very large portion of the community. If the attempt now so strenuously made to effect this object should fail, (as it cannot be pretended that public convenience would be at all promoted by opening the street to Trinity place, and stopping there,) no sufficiently strong reason appears for further prosecuting the pending proceedings for that purpose.

The undersigned, therefore, regards the matter referred in the light of an original proposition to extend Albany street, from Greenwich street to Broadway, and the aim of the Committee has been to arrive at a just conclusion as to the expediency of such a measure under existing circumstances.

A degree of public excitement, unusual in ordinary cases of opening streets, having appeared to exist in regard to this project, the Committee deemed it their duty to give a

full and patient hearing to all parties desirous of presenting their views, either as advocates or opponents of the measure. For this purpose they have held several meetings, open to the public, and have heard the arguments of counsel employed by the respective parties interested, as well as the objections and statements of many private citizens, whose feelings appeared to be warmly enlisted in this matter. The excitement and feeling which has been thus manifested, not only before the Committee, but in pamphlets and newspaper articles, has been avowedly roused in opposition to the proposed extension of the street through the burying ground attached to Trinity church, and to any disturbance or removal of the remains of the dead deposited there. Upon the present, as upon all previous occasions, when such a project has been proposed, it has been strenuously resisted by a large and respectable portion of our citizens, many of whom have had relatives interred in this church-yard, and all of whom feel a strong repugnance to any violation of the grave for secular purposes. Independently of these considerations, however, the necessity or expediency of the proposed extension of Albany street, as a measure required for public convenience, has been fully discussed and examined.

That the opening of this street will be a measure of public utility, must be affirmatively established before the city government can rightfully undertake it.

It has been urged before your Committee that it is a measure not only of public utility, but in some degree of public necessity, to increase the means of communication between the North and East rivers in the lower part of the city; that the existing thoroughfares are insufficient,

and that the business of that section of the city suffers inconvenience and delay for the want of another street from Broadway to the North river, below Cedar street. It is mainly on this ground that the advocates of the measure claim that it will promote the public interest.

It is certainly of the greatest importance that the mercantile community be supplied with the amplest means of ready communication between the North and East rivers.

But there is no evidence before your Committee that the importers and ship-owners, chiefly interested, or any other mercantile class, consider the existing means of communication insufficient, or desire that this measure be carried out. Did this alleged necessity exist, our shrewd, active and intelligent merchants would assuredly have shown themselves alive to their own interests, and made their views and wishes known. Their omission so to do is strong evidence that they will derive no benefit from the proposed street.

This is confirmed by the fact that the parties who represent nearly fifty lots in Pine street expressly remonstrate against it. And if the merchants, whose place of business is in that street, will gain nothing by this new communication with the North river, what portion of the mercantile community can it possibly benefit? The business of the city, both north and south of that street, has already ample and direct access to the North river.

It is also to be observed that there are already, within the district to be affected, more streets running from Broadway to the North river than to the East. On the east side there are four—Maiden lane, Wall street, Pine and

Liberty ; On the west are five—Rector, Thames, Cedar, Liberty and Cortlandt—two of which, Cedar and Liberty, have been, within a few years, widened and made convenient thoroughfares for a much larger travel than yet passes through them. Dey street, the next above on the west side, has been improved in the same manner. It seems manifest, therefore, that if increased means of communication between the North and East rivers be desirable, it is on the east side of Broadway, not the west, that a new avenue should be opened.

But were the fact otherwise, and were the necessity of a new street on the west side conceded, your Committee consider that it would be, for many reasons, unwise to open it at the point now contemplated.

For the proposed extension of Albany street will be of no practical value as a direct communication between the North and East rivers, unless Pine street, which, toward its eastern end, contracts almost to the dimensions of an alley, be widened throughout its whole length.

And this proposed extension contemplates a new street within forty feet of, and parallel to, one that already exists ; the widening of Thames street will give the public everything it would gain by the opening of Albany street, and accomplish the same result without shocking the prejudices and awakening the violent opposition of a large portion of the community.

Another and a most serious objection is in the grade of the proposed street, which will be nearly that of Rector street. It is this grade which makes Rector and Thames streets inconvenient for the transportation of heavy goods.

Nothing whatever could be gained by the creation of another avenue, equally objectionable on the same ground. Heavily laden carts would still go out of their way to pass through Battery place, or the recently widened streets north of Thames street, to the North river, whatever might be the width of Albany street as extended to Broadway. And this objection cannot be removed. A street leading from Broadway to the North river, through Trinity church-yard must be steep and inconvenient, and will certainly not be generally used for the carriage of goods.

On this point your Committee speak with confidence. Between five and six hundred of that respectable and intelligent class, the cartmen of this city, who have united in a remonstrance against the propose^d opening of Albany street, on the express ground that, if opened, its grade would be such that they would not use it.

Your Committee cannot but regard this expression of opinion as a material and controlling element in the determination of this question.

That the mercantile class neglects to urge the measure, is strong evidence that the mercantile interest does not require it. But that those whose daily earnings depend on the facilities for communication between different sections of the city, and are increased by every enlargement of those facilities, expressly remonstrate against a proposition for enlarging them, as practically worthless, seems conclusive against it. If the proposed new street would, in fact, enable a cartman to carry ten loads from South street to the North river in the time now required to carry nine, and so to increase his daily profits and diminish his daily labor, this remonstrance would never have been signed by five hundred of

the thrifty, clear-headed and energetic men, who are intrusted with the transfer, from one part to another in our great metropolis, of the products which the whole world sends here for distribution through our western continent.

This most material fact makes it unnecessary for your Committee to dwell on various other considerations which deserve some weight. How far, for instance, would this new street be of practical value even to a pedestrian in winter, with a high embankment on its south side, cutting off the sunshine, leaving the snow-drift unthawed and the mud undried and festering for four or five months of the twelve.

The undersigned is led, by the foregoing considerations, to the conclusion that the public interest will not be at all promoted by the extension of Albany street; and that even if a new and enlarged street between Broadway and the North river be desirable, it should be opened or enlarged at some other point, where its grade will enable it to be conveniently used, and not in the line of the proposed extension, where it will be practically worthless. On this ground alone he feels justified in recommending the repeal of the ordinance for the opening of Albany street.

But this recommendation for its repeal is founded on another ground, which seems equally conclusive, whether the opening of Albany street be, in the judgment of the Board, expedient or inexpedient.

This opening can be executed only after certain legal proceedings in the Supreme Court, instituted by the city government, and controlled at every step by the general

law of the state. That law requires the appointment, by the Court, of Commissioners, who shall estimate the value of the lands affected by the proposed improvement, and determine the amount of the assessments and awards for compensation, to be paid and received by their respective owners. On the coming in of the report of the Commissioners, the court is bound to dismiss the application, if it appear that the majority of the parties interested oppose it. It cannot take into view the expediency of the measure, or the unreasonableness of the objections, the fact that a majority objects is conclusive.

After thorough and careful inquiry by your Committee, it appears that a majority, both in number and interest, will be found opposed to this measure.

Trinity church, holding land worth from one hundred and fifty thousand to two hundred and fifty thousand dollars, which the opening of Albany street would convert to the public use, the owners of Trinity building, on the north side of the church-yard, which would be largely assessed for the benefit of the entire block on which the old City Hotel stood, a great majority of the parties interested in real estate on Broadway, and the streets east of Broadway, which would be chiefly affected by the proposed opening oppose it strenuously.

Even in Greenwich street, and its tributaries, where it is claimed, that real estate will be largely increased in value by this measure, it is far from receiving an unanimous support; many property owners in that district oppose it, or remain neutral, unwilling that their pecuniary interest should be promoted by the disinterment of the

thousands, whose graves the proposed new street would violate.

There is therefore no doubt, that a large majority of the parties in interest will formally oppose the opening of Albany street when the proper time shall arrive for making their objections known, and that the measure will, consequently, fall through.

And if this be so, the ordinance in question should be repealed, whatever opinion may be entertained as to its expediency or necessity. It would be clearly unjust and unwise to burden the tax payers of the city with the costs of an application to the Supreme Court, and of all the complicated and voluminous proceedings of commissioners, with the moral certainty before us, that the whole proceeding will lead to no practical result. That the measure must, in all human probability fail, is a conclusive reason why it should not be undertaken.

But even were it doubtful on which side the preponderance of interest will be found, there are other grounds for believing that this ordinance cannot be carried into effect. There has been, in various forms, a strong expression of public opinion against it.

The papers before your Committee show about seventy applicants for the opening of the street. Of these seventeen have publicly withdrawn their names, on the ground that they had signed, without due consideration, or under a mistake.

But, between three and four thousand of our citizens, of every class, and every form of religious faith, earnestly remonstrated against it, and ask for its repeal.

Should this ordinance remain unrepealed, and should proceedings under it be instituted, with any prospect of success, there is reason to believe, that the public disapprobation would be expressed with such sternness and emphasis that it would be found absolutely necessary to abandon the proceeding.

It is understood, moreover, that there are legal questions of some difficulty and importance, as to the right of the city to carry out this measure.

It was urged before the Committee, with much ability, that the city government cannot now lawfully invade, disturb, and convert to its own use, land which it set apart under its broad seal, a century and a half ago, as a place of burial for the poor, and in which, for more than an hundred and twenty years, multitudes of each succeeding generation were consigned to the grave, in reliance on the good faith of the city, and the sanctity of the solemn contract.

That the laws of the state, (act of 11th April, 1842,) make the conversion of any burial-ground to any other purpose, and the act of removing "any human body or remains" therefrom, except under certain specified conditions, a misdemeanor punishable by fine or imprisonment, and that the policy and spirit of this general law forbid the opening of this street independently of the special contract in reliance on which interments were made in this burial-ground.

And that on these and other grounds, the legality of the proposed measure can be disputed by any person interested in preserving the church-yard intact, and the opening of the street indefinitely delayed, if not altogether prevented by injunction.

On the validity of the legal objections it is unnecessary to express an opinion. The fact that the opening of the street may, and probably will be thus contested, and that the city will be thus involved in a tedious and expensive litigation, is entitled to some weight in determining the expediency of the undertaking, whether the objections be well founded or not.

In the discussion before your Committee, great stress was laid on the alleged impropriety and indeecency of violating the "sanctity of the grave," by the opening of this street. On this subject opinions will be found to differ widely.

The undersigned is not disposed to give it all the importance that was claimed for it by the opponents of the measure. There can be no doubt, that many thousand interments have been made in the ground it is now proposed to cut through, and that these successive interments, made from the first foundation of the city, down to the year 1822, have raised the ground to its present grade, that is to say, about thirty feet above its original level on the western side. In other words, the excavation for the new street would require the removal of many hundred thousand cubic feet of the remains of the dead. No member of this Board would consent to sacrifice the interests of the living to the repose of the dead; but to justify so extensive an invasion of this ancient and populous cemetery, it should appear distinctly, that those interests are to be promoted.

This peculiar character of the ground to be exeavated would add an unusual and very serious item to the cost of the improvement. The dust and bones to be removed can hardly be treated like the earth from an ordinary excavation. Some provision must be made for the decent rein-

terment of the remnants of mortality thus ejected from their resting-place.

- It will probably be found entirely impossible to distinguish and separate from the soil in which they lie, the decomposed remains that make up the larger portion of the ground that would be removed. Respect for the prevailing popular feeling on the subject, would imperatively require that the whole mass be decorously consigned to a new place of interment. The cost of boxing and transporting and interring anew this vast accumulation of human dust it is difficult to estimate. That it would be most formidable there can be no doubt.

Evidence has been laid before the Committee, that during the war of the Revolution, many of the prisoners who died, while confined in the temporary prison adjoining the public burying-ground, were interred in trenches, on or near its north side. This fact, certainly, increases and justifies the reluctance with which the public would see this ground disturbed, unless under the pressure of absolute necessity.

But it is unnecessary, to proceed further with the investigation of this branch of the question.

The conclusions of the undersigned are founded on other and more practical considerations, viz: that in his view the proposed improvement is neither necessary nor expedient; that it is opposed by a majority of the parties interested, and therefore cannot be carried through.

He, therefore unites in the recommendation made by the majority of the Committee, that all proceedings for the opening or extending of Albany street be discontinued.

J. W. BROWN.

DOCUMENT No. 40.

BOARD OF ALDERMEN,

MAY 5, 1854.

The following report of the minority of the Committee on Streets, against repealing the ordinance for the extension of Albany street, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Streets, to whom the petition of Trinity church, for a repeal of the ordinance extending Albany street, from Greenwich street to Broadway, was referred, respectfully

REPORT :

That they have heard all the parties, personally and by their counsel, interested in the proposed improvement, and having given the subject their most careful deliberation, have arrived at the conclusion, that the extension of Albany street to Broadway is demanded as a measure of great public necessity, and that the ordinance in question ought not to be repealed. Among other reasons for this result, the Committee regard these as conclusive :

FIRST, The distance on Broadway, from Cedar street to Battery place, is sixteen hundred and seventy-four feet, or one-third of a mile, but it is without a single street of proper dimensions, so that all that part of the city lying between those points and west of Broadway, is without any decent means of access, to or from the river. Only ninety-three feet on Broadway is divided between four streets, viz : Thames, twenty feet; Rector, thirty-two feet; Tinpot alley, eleven feet, and Morris, thirty feet. The consequence is, that these streets are dirty, disagreeable and disgusting ; and as a " narrow street is always a nuisance," as one of the counsel for Trinity church admitted, here are four nuisances, through one of which all our citizens must travel in passing from Broadway to the river, unless they make a considerable circuit.

SECOND. In no other part of the city, ancient or modern, is there such a palpable want of street accommodation. From Cedar street to Fulton, on Broadway, the distance is only eight hundred and sixty-one feet, and yet there are four streets, viz: Cedar, thirty-three feet; Liberty, fifty-three feet; Cortlandt, fifty feet, and Dey street, fifty feet; in all, one hundred and eighty-six feet, being more than twice the quantity of ground devoted to streets below Cedar street, though it is less than half the distance. So, from Fulton street to Park place, the distance is seven hundred and seventy-four feet, and yet there are three wide streets, embracing one hundred and seventy-one feet on Broadway—so that, for sixteen hundred and twenty-five feet on Broadway, from Cedar street to Park place, there is three hundred and fifty-seven feet of streets; while, for a larger distance below Cedar street, there is

only ninety-three feet. So gross an inequality of street accommodation ought not to be permitted any longer to exist. Every tenth street, from Fourteenth street northwards, is one hundred feet wide, and all others sixty feet, while this portion of the city is still confined to the narrow and filthy streets which our Dutch ancestors laid out more than two hundred years ago. Within three years Dey and Liberty streets have been widened, under resolutions of the Common Council; and this the Committee regard as conclusive proof that the same process of improvement is imperatively required for that important part of the city lying below Cedar street, and which has hitherto had no share in the benefits conferred upon health, property and life, by wide and spacious streets.

THIRD. In consequence of the want of such streets, the property and business in this part of the city have not only not shared in the general advance which the prosperity of the city has produced, but they have, in fact, fallen off and depreciated, so that the price of rents, and the value of lots, above and below Cedar street, present a most striking disparity. Below Cedar street, the old and rickety tenements remain unimproved, and are occupied by a shifting inferior population; while above Cedar street, and especially in Dey and Liberty streets, splendid marble and free-stone stores have taken the place of dilapidated dwellings, which are owned or rented by our most respectable merchants. It is within the truth to say, that the lots below Cedar street are not now worth half as much as those above it, while the rents below Cedar street are at least two-thirds less than is now freely paid above Cedar street. It is apparent, therefore, that the owners

of property below Cedar street are actually damaged by the improvements made above and beyond their property. It is the duty of the city government to see that such a state of things should not continue; and the ordinance in question provides a partial remedy for this evil, while it gives to these property owners what they are justly entitled to, a share in the benefits to be derived from the city improvements in their immediate vicinity. This improvement has been demanded by the public for upward of forty years; and the Committee think it is time an end should be put to agitation upon this subject.

FOURTH. But one objection deserving the slightest consideration has ever been made to the extension of this street, and that is, that it will pass through a small portion of Trinity church-yard. This objection cannot be regarded as insuperable. It has never been allowed to prevail against the public welfare or necessity, here or elsewhere. Trinity church herself has never so regarded it. The uniform usage, sanctioned by law, has been to remove the remains of the dead, and direct the improvement to be made. An act of the legislature of this state, passed in 1842, authorized the sale or mortgage of any graveyard in which interments had not been made for three years. Burials in Trinity church-yard were prohibited by law, as injurious to the health of the city, in 1823, more than thirty years ago; and although the vestry of that church defied the law, and made some few interments afterward, yet, upon suits being brought, they desisted, and none have been made for many years therein. The remains of the dead can be carefully and respectfully removed; and it is better, and much more in accordance with

the dictates of kind feeling, to do it now, than to defer it, as it must eventually be done, until few or no relatives of the deceased remain to perform the humane office.

FIFTH—In the judgment of the Committee, there is no just claim on the part of Trinity church for damages for that part of the church-yard which will be taken for the street. It was conveyed to them as a *gift* by the Corporation of the city, for the purpose of a burying ground only; they cannot appropriate it to any other use, and as interments have long since been prohibited, it is of no pecuniary value to them, and, in fact, their beneficial title has ceased. So the Supreme Court decided, upon this very point, in 1834. Chief Justice Savage, who delivered the opinion, said,

In the matter of Albany street, (11 Wendell, 149, 153,) the Supreme Court decided in relation to the whole of Trinity church-yard that "the true rule of estimating the damage is to appraise the property *at its present value* to the owner, considering the extent of the interest which the owner has and the qualified rights which may be exercised over it. If the church may convert it all into building lots, then that rule is to be adopted. Chief Justice Savage says, "If, on the other hand, as I suppose, the church cannot use the church-yard for any purpose but for burying the dead, then a different rule should be adopted for both as to damage and benefit," "but clearly the same rule should be adopted for both assessments."

SIXTH—It is believed that about one hundred and thirty-six lots will be benefited by the extension, and that they will be increased in value at least half a million of dollars,

making an addition of that sum to the taxable property of the city, which, at the present rate of taxation, will produce an annual revenue to the city of upward of sixty-two thousand dollars.

The cost of the extension, including the expense of the removal of the remains of the dead, cannot greatly exceed one hundred thousand dollars; but admit that it may run up to one hundred and fifty thousand dollars, and that the city has to bear the whole outlay, (while, in fact, it has to pay only a very inconsiderable part.) it would, as is shown, be refunded in three years, by the increased subjects for taxation, and a surplus of thirty-six thousand dollars be left. It has been vehemently urged that a large majority of property owners interested are opposed to this improvement; and it is to be regretted that the confident and unscrupulous asseverations of the opponents on this point, have led a majority of the Committee to adopt this representation as a fact, while the most conclusive evidence to the contrary, in the opinion of the undersigned, was before them, and only an ordinary investigation of the documents was necessary to prove directly the reverse.

In the early stages of the investigations of the Committee, the applicants were requested to ascertain the views of proprietors within a given area, designated by a member of the Committee who unites in the majority report. This area embraces one hundred and thirty-six lots. Satisfactory evidence, mostly by the signatures of the proprietors, was promptly furnished that the parties representing eighty-two lots or pieces of property were in favor of the extension, and that only fourteen were found or known to be openly opposed to it—leaving forty lots, the representa-

tives of which could not be found, or declined declaring their views, whether for or against the measure.

Subsequently, the opponents also submitted a map embracing the area adopted by the assessors in 1834, and considerably extended, which carried the assessment for benefits far down Pine street. That showed a much larger number of lots as opposed, but as is shown hereafter, such opponents come far short of a majority in amount of the parties interested in damages and benefits, which rule governs in the decision by the Supreme Court, and not a majority of the number of lots affected, nor of persons interested—a well known fact, which is not alluded to in the majority report which has been made. In this case a very unusual test of the result in this respect exists in the report of the assessment made for the same object in 1834, which was made by intelligent, competent assessors, on principles specially prescribed for the case by the Supreme Court. The result of the application of this report to the maps and evidence submitted to the Committee, will be seen by the synopsis appended and submitted herewith. On reference thereto, it will be seen that even by adding some lots admitted by the applicants on map 1 to be opposed, to those sought out and presented on the other side by map 2, not two-thirds of the requisite amount to defeat the pending proceedings can be found on the extended area of 1834, and but little more than half that amount on the more limited area of map 1, which area your Committee believe will be adopted by assessors now appointed. A full confirmation of this result is found by taking the amount assessed in 1834 on the eighty-two pieces of property, the proprietors of which have given in their formal assent, which is

found to amount to sixty-nine thousand four hundred and six dollars and eight cents, (which amount will doubtless be largely increased by others who, for the present, withhold their approbation,) and as only fifty-nine thousand and four dollars and seventy cents is necessary to secure the confirmation of the proceedings in the Supreme Court, it follows that the amount proved to be in favor of the extension is ten thousand four hundred and one dollars and ninety-eight cents more than sufficient.

It is true that, from the enhanced value of property since 1834, the amount of damages will be increased; but the same relative increase of value of that to be assessed has also taken place, and the ratio of the assessment of 1834 may, therefore, be safely taken as governing the case. It is further found that several lots, gained from the water since 1834, are now within the area of map No. 1, and which were not then assessed. These will now bear a liberal assessment, and the proprietors are among those in favor of the extension.

These figures cannot be successfully controverted; and, showing so decided a preponderance in favor of the measure, they are conclusive as to the duty of the city government to refuse to interfere to suspend the pending proceedings, as is prayed for, by and under the influence of Trinity church. No other case can be found in the city where so obvious and important a public improvement can be made at so small a cost. It is demanded alike by the interest of the city at large, as well as by the proprietors of the region; and it will be found greatly to promote the convenience of the citizens, and the healthfulness of a neigh-

borhood always fatally dangerous when epidemics have prevailed.

In conclusion, your Committee say that, as Trinity church ostensibly attempted the building of their present monument to intimidate the Common Council in the making of a great public improvement, at the very time when this measure was under consideration and being discussed, they are entitled, to say the least, to but little sympathy, and their patriotism cannot be considered to be much outraged, when we remember that they have, ever since the evacuation of the city by the British army, (more than seventy years ago,) allowed this matter to rest in silence, without erecting some token to the memory of those for whose lives and fortunes the Trustees of Trinity Church, during the revolution, evinced so little sympathy or respect. Besides, it is extremely doubtful, if not improbable, according to the testimony adduced before the Committee, whether or not any patriots of the Revolution were allowed to be buried in Trinity church-yard.

Your Committee are therefore constrained to offer the following resolution :

Resolved, That the prayer of the petitioners, for a repeal of the ordinance extending Albany street to Broadway, be denied.

W. B. DRAKE, } *Committee*
 } *on Streets.*

SYNOPSIS OF THE ASSESSMENT

FOR THE EXTENSION OF ALBANY STREET, made in 1834, by William Paxson Hallet and others, under a special order of the Supreme Court—applied in the same ratio of value to the proceedings now pending for the same improvement:

DAMAGES—To Trinity church..... \$13,128 62

For four lots and buildings on
Trinity place and Greenwich
street..... 44,800 00

\$57,928 62

ASSESSMENT—*For benefit* on one hundred and ninety-eight lots, extending to Pine, corner of William street, and to Cedar street on the north, which includes the above damages and costs of the proceedings..... 60,080 76

Aggregate of damages and benefits..... \$118,009 38

Majority in amount of damages and benefits necessary to defeat the measure.... 59,004 70

Results of maps submitted to the Committee by applicants for the opening, and by the opponents or remonstrants against it, in the above ratio of value:

MAP No. 1, submitted by the APPLICANTS on an area embracing one hundred and thirty-six lots, designated by a member of the Committee on Streets, excluding the Pine street lots, and others the most distant.

OBJECTORS—*On damages.*

Trinity church.....\$13,128 62

St. Stephen's church, for lot on

Greenwich street..... 11,600 00 \$24,728 62

Brought forward..... \$24,728 62

On benefits.

| | | |
|---|----------|----------|
| Trinity building..... | 3,199 58 | |
| Two lots east side of Broadway. | 1,160 00 | |
| One lot Thames street, not assessed, 1834 | . | |
| Two lots west side of Broadway | 345 00 | |
| Four lots on Carlisle street..... | 454 72 | |
| Three lots on Washington and West streets..... | 1,358 56 | 6,517 86 |

Aggregate amounts opposed, (damages and benefits)..... \$31,246 48

Or \$27,758 22 short of the requisite amount to defeat the proceedings.

MAP No. 2, submitted by the opponents, embracing the area of the assessment of 1834, and still farther extended in same ratio.

OBJECTORS—*On damages.*

Trinity and St. Stephen's churches, as above.\$24,728 62

On benefits.

| | | |
|--|------------|--|
| Proprietors of thirty-seven lots on east side of Broadway, (principally on Pine street)... | \$6,694 83 | |
| Proprietors of thirteen lots west side of Broadway | 5,826 40 | |

Aggregate amounts opposed, according to this map..... \$37,249 85

But eight lots are shown to be opposed by map No. 1, (that of the applicants) which are not so represented on this; they are, therefore, added..... 1,813 28

Aggregate \$39,063 13

Which is still \$19,941 57 short of the requisite amount to defeat the proceedings before the Supreme Court.



DOCUMENT No. 41.

BOARD OF ALDERMEN,

MAY 15, 1854.

The following communication, based upon a preamble and resolution offered by Alderman Herriek, in relation to market property, was received from the Comptroller, laid on the table, and directed to be printed.

D. T. VALENTINE, *Clerk.*

DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, }
CITY OF NEW YORK, May 10, 1854. }

To the Board of Aldermen :

The Comptroller, in compliance with the requirements of the following resolutions, viz:

" *Resolved*, That the Committee on Laws be instructed, and they are hereby required, to report to this Board, as speedily as possible, whether it is or not obligatory upon the Common Council or the Finance Department, by the terms of the amended charter of 1853, to cause to be sold at public auction, to the highest bidder, the use of the stalls in the public markets, and the right to collect market fees

of hucksters, country wagons, &c., and all legal charges imposed upon dealers in the markets by the ordinances of the city.

"Resolved, Also, that the Comptroller be, and he is hereby requested to furnish this Board his opinion upon the same subject, with a view of exhibiting to the Common Council the reason of his discrimination between the right to collect market fees, and the right to collect wharfage upon our public piers; why the one should be sold at auction, and the other reserved to be collected by the agents of the Corporation?"

Respectfully submits the following

REPORT.

The first resolution calls upon the Committee on Laws to report whether it is, or not, obligatory upon the Common Council or the Finance Department, by the terms of the amended charter of 1853, to sell the use of the stalls in the markets, and the right to collect market fees of the hucksters, &c., and all legal charges imposed upon dealers in the markets by the ordinances of the city, at public auction.

By the second resolution, the Comptroller is requested to furnish his opinion to the Board upon the same subject, with a view of exhibiting to the Common Council the reason of his discriminating between the right to collect market fees, and the right to collect wharfage from the public piers, &c.

In answer to the question in the resolution, why the Comptroller has leased the piers at public auction, and not the market stalls, it is sufficient to state, that the ordi-

nances require him to act in leasing the piers, and that the market stalls and the collection of market fees are under the control of the Commissioner of Streets and Lamps, and of the Superintendent of Markets. By the 330th section of the ordinance of 1849, butchers are to be recommended by the Department of Streets and Lamps, and licensed by the Mayor. The 341st section provides that the clerks shall collect the market fees. The 331st and 332d sections authorize the Superintendent of Markets to give permits to sell meat by the quarter, and also to occupy stands in the public market, who may at any time, with the concurrence of the Commissioner of Streets and Lamps, annul such permits.

The preceding references show that the Comptroller had no authority whatever to sell the use of the stalls in the markets, and that he had no power in the matter except to call the attention of the Common Council to the importance of revising the ordinance of 1849, and adapting it to the provisions of the amended charter, which he did in a special communication to the Board of Aldermen, (Document 16) on the 9th of February last.

Aside from the necessity of legislation in regard to the subject of the ordinances, there are several grave questions affecting the rights of individuals, which require to be considered and properly adjusted before the market franchise in all cases are disposed of at public auction. These cases may be classed as follows:

1. Those where premiums have been paid for butchers' stalls. In some cases, these premiums were as high as four thousand dollars.

2. Those stalls in the markets which have been awarded by lot, without any pecuniary consideration, and fitted up by those who occupy the stalls, at an expense of several hundred dollars. In both of these cases, the rights which have grown up under the former state of things ought to be fairly considered, and equitably adjusted.

3. There are over three hundred licensed "shop-butchers," mostly in the upper wards of the city, who furnish their own market-houses. These private markets have been established under an ordinance passed in 1843. The license gives them authority to establish a butchers' market, on premises owned or rented by them, on payment of ten dollars annually. This being open to all, by the ordinance of 1843, it is not readily perceived how this part of the market franchise can be distributed by public competition, without subverting the principle of free trade in marketing, established by the ordinance of 1843.

The three points thus briefly referred to, will be treated more at large in a subsequent part of this report.

THE DISCRIMINATION BETWEEN MARKET FEES AND WHARFAGE.

The resolution assumes that the Comptroller has made a discrimination, not warranted by the amended charter of 1853, between the right to collect market fees, and the right to collect wharfage; disposing of one at auction, and reserving the other to be collected by the agents of the Corporation. Let us see how far the charter, and ordinances, and facts, warrant such an inference.

The seventh section of the amended charter of 1853, declares that—

"All leases and sales of public property and franchises, (other than grants of land under water, to which the owners of upland shall have a pre-emption right) shall be made by public auction, and to the highest bidder who will give adequate security."

This provision excludes only water grants, to which the owner of the upland has a pre-emptive right by the laws of the state, and includes every thing else which comes under the heads of leases, sales of public property and franchises.

There is a provision in the section of the charter before quoted, which requires the Comptroller to perform certain duties in connection with sales of leases, public property and franchises. This provision is as follows:

"Previous notice of all sales referred to in this section shall be given under the direction of the Comptroller, for thirty days, in the newspapers employed by the Corporation."

When the Common Council, in the exercise of its authority in regard to establishing ferries under the seventeenth section of the charter of 1730, has resolved that there shall be a ferry between two fixed points, and has defined the corporation property, if any, which shall be sold with the ferry franchise, then, and not till then, is it incumbent on the Comptroller, or has he authority, to act under the provision of the charter above quoted.

In like manner, where the ordinances of the Common Council had devolved certain duties on the Department of Streets and Lamps, and had provided the mode of fixing the rents, it was not competent for the Comptroller to in-

terfere, and fix the same by a public auction, until the ordinances were adapted to the new charter. In the Department of Finance, he could give effect to the paramount authority of the charter, and this has been done, it is believed, in most, if not in all cases.

With this explanation, the Comptroller, being called on by the resolution, "to furnish the Board his opinion, whether it is, or not, obligatory upon the Common Council, or the Finance Department, by the terms of the amended charter of 1853, to cause to be sold, at public auction, the use of the stalls in the public markets, and the right to collect market fees;" respectfully answers, that in his opinion, it is obligatory on the Corporation, that is, on the Common Council, and the appropriate executive departments, to establish the amount of revenue to be collected from the markets, under the seventh section of the charter, by public auction, in the same manner as that adopted by the Commissioners of the Sinking Fund, in fixing the amount of rent to be paid for piers, wharves and slips.

In answer to that branch of the resolution, which calls on the Comptroller "to furnish the Board with his opinion," "with a view of exhibiting to the Common Council the reason of his discrimination between the right to collect market fees, and the right to collect wharfage upon our public piers," the Comptroller answers, that he has not designed to make any such discrimination in the discharge of the duties assigned to him. And more than this, he is willing to express an opinion, that he sees no reason why Fulton, Franklin, or any other public market, should not be leased for a fixed annual rent, to be paid into the city

treasury, leaving all the market arrangements to be made on enlightened, liberal and simple business principles, and having the power of the municipal government interposed only to protect the weak and virtuous against the strong and vicious, and to enforce such wholesome regulations as are required for the preservation of the public health, and the enforcement of good order.

And in the judgment of the Comptroller, the Common Council might, with decided advantage to the interests of the constituents, go still further, and rent some of their public grounds for a period of ten years, to individuals or associations, in the same manner that ferry-grants are made, requiring the lessee to construct suitable market buildings, and securing to him the guaranty which the seventh section of the charter provides, in regard to the boats and buildings, where property is leased with a ferry franchise.

The new made land, west of Washington market, affords a fine opportunity of carrying out this suggestion, and of testing the question between individual skill and enterprise, and government jobbing, in the building and management of a public market. This might be done, by renting the grounds for a period of ten years, with the market franchise, for a fixed sum, to be paid quarterly into the treasury, leaving the stands and stalls to be disposed of as might suit the interests of the lessee, and those who desire to occupy them.

If the construction and management of the markets were placed on a simple, business footing, and open to all, why should we not have markets which, for establishments of that character, would be as creditable to the city as the

splendid hotels which are erected to meet the demands occasioned by the rapid increase of the city, and its growing trade? Those who invest their means in hotels, depend for their profits on their skill in the management of them, and on the increasing business of the city. Stores, for the accommodation of trade, are built on the same principle. In neither case is there any guaranty that hotels and stores shall not be increased. And why should not the same rule hold good in regard to markets, with the advantage of the proposed arrangement respecting the outlay for market buildings?

A new market might be constructed on the new-made ground, without interrupting the business at Washington market; and when the new market should be completed, the present site, the fee of which is absolute in the city, might be sold at public auction, as is estimated by those acquainted with the value of real estate, for three hundred thousand dollars or more; and when occupied with stores, would probably add half a million of dollars to the assessable property of the city. This last consideration, which might not be regarded by an individual, ought to have its proper weight with a government having a constituency severely burdened with taxation.

The supply of this city with eatables, through the markets, is a business of great importance; but it is purely a business matter; and government agency is no more necessary in procuring beef, pork and mutton, than in procuring coffee, tea, and molasses. In both cases, is not our reliance and security, on the character of the person who furnishes the supplies, whether in the market or out of it? And does not our security, after all, rest on the *business man*,

rather than on the government official? Why, then, not withdraw the bungling hand of government from the meats which are wanted for the daily consumption of the city, and in this, as in other matters, let trade regulate itself?

It should be borne in mind, that the suggestion in regard to opening the market privileges to all, on the payment of the market fees or licenses, does not originate with the Comptroller. An ordinance adopted on the 20th of January, 1843, (see title 9, chap. 12, Revised Ordinances of 1845, p. 115,) authorized the granting of licenses for private markets, or meat-shops, to such persons as may be recommended by the Market Committee, on paying a license fee of ten dollars.

In 1851, there were 305 licensed market-butchers, and 334 licensed shop-butchers.

There have been licensed since the first of November, 1853, 312 shop-butchers, and the licenses in the ten public markets number 266. In 1851 the excess of shop-butchers was 29, and in 1854, 46 over the market-butchers.

Mr. Childs, Commissioner of Streets and Lamps, in 1851, states, in his annual report, that "the Fifteenth, Sixteenth and Eighteenth Wards, with a population of one hundred and seven thousand, and forty-six million two hundred and sixty thousand dollars of real estate, have not a public market, and are satisfied to let the marketing regulate itself."

The restricted system in regard to markets, therefore, was measurably broken up and scattered by the ordinance of 1843. Other governmental regulations of a kindred

character, which related to the inspection of commodities, the weighing of merchandise, &c., were tolerated three years longer. But the State Convention of 1846 removed all the incumbrances which had so long vexed the ordinary business operations of the community, by the following sweeping provision in the state constitution:

Title 5, § 8. "All officers for the weighing, gauging, measuring, culling or inspecting any merchandise, produce, manufactures, or commodity, whatever, are hereby abolished, and no such office shall hereafter be created by law."

It was wisely concluded by the convention, that the business skill, and character, which could build ships, and establish a credit sufficient to invite commerce from every part of the habitable globe, might, with entire safety to the community at home, be allowed to select the persons to weigh out the tea and sugar, thus collected, and to inspect the commodities shipped in return for the same. The trade of the state of New York, and the character of the city of New York as a shipping port, has not suffered, it is believed, in the commercial marts of the world, during the last eight years, in consequence of the provision in the state constitution before quoted.

THE "SHOP BUTCHERS" AND "PERMIT BUTCHERS."

The extension of the city "up town," remote from the regular markets, created a necessity for supplying the householders with meats and other necessary articles for their tables, which in a measure broke down the market regulations, as is evident from the following statement

made by the Joint Committee on Markets, September 28, 1887, (Document No. 28,) which is as follows:

"The Joint Committee on Markets beg leave to report, that, in consequence of the increasing evils of unlicensed butchers selling meat at shops in various parts of the city, in open violation of the law, they have had under consideration the subject of introducing into the markets a class of butchers who should be authorized to sell meat by the quarter, on terms similar to those granted to persons bringing meat from the country. As the evil which they desire to remedy concerns deeply the interests of the *licensed butchers* who occupy stalls in the markets, they have had several conferences with a committee duly appointed at a general meeting of the butchers relative to this subject. The sense of the said *licensed butchers* having been taken as to the expediency of the proposed measure, a majority of one hundred and forty-eight appeared to be in favor of it, and their Executive Committee have, after due inquiry, ascertained and informed the Market Committee that seventy-four butchers of the proposed class might, under good and wholesome restrictions, be thus permitted, and be distributed among the various markets in certain proportions, which they have advised. This, it is thought, would include all those persons now keeping shops who are qualified and eligible, as well as others who have been brought up to the business of a butcher, and are desirous of following it. Your Committee are decidedly of opinion that this measure should be tried. *It has been found impossible to enforce the laws against the persons selling at meat shops, and many of those against whom judgment has been obtained have been discharged from the penalty by the Common Council. It*

is also desirable to provide some mode in which young men who have served a regular apprenticeship to their business, and can follow no other, and who have not the means to procure stalls, may pursue their occupation without violating the law."

This recommendation was carried into effect by an ordinance presented by the Committee, and adopted by the Common Council, and which is embodied in the ordinance of 1849, section 331. The Committee seem to have supposed that they could break up the "shop-butchers," who were established and selling meats to the inhabitants of the upper wards without leave of the Corporation, by the competition of a class of "permit butchers," under the protection of the city government, and under the favor of a designated stand in the regular market. And this, too, at a time when it is shown by the admission of the Committee in the same report, that "*it has been found almost impossible to enforce the laws against the persons selling meat at shops without license.*" Virtually yielding the point as to the power of enforcing the law directly in regard to unlicensed sellers of meats, an effort was made to undermine and break them up by *persuasive* rather than *coercive* legislation.

The "shop butchers," however, continued their business, and in 1843, as stated in the preceding part of this report, an ordinance was passed giving to them the sanction of a market license, to carry on the business of supplying such as favored them with their custom, at prices graduated by the laws of supply and demand, on paying into the public coffers the sum of ten dollars annually. Three hundred and twelve of these "shop butchers" have

taken licenses since the first of November, and some of the butchers think that this list does not include the whole number who are actually selling meats in shops out of the regular markets.

But be this as it may, the history of this whole matter shows the fallacy, if not impossibility, of maintaining, by statute laws or municipal regulations, a state of things which comes in conflict with the laws of trade, with what seems to be the natural right of every person, and with the teachings of common sense.

HISTORY OF THE MARKETS AND THE TENURE OF THE MARKET PROPERTY.

It is necessary to ascertain the conditions on which the Corporation holds the title to the market grounds. For this purpose the title deeds have been examined, and the tenures by which the market grounds are held have been ascertained, as far as practicable. An effort has also been made to get a condensed history of the rise and progress of the market system from the earliest period.

The first establishment of a public market, as stated in Valentine's recent History of the City of New York, was in the year 1656, when it was enacted. that,

" *Whereas*, Divers articles, such as meats, pork, butter, cheese, turnips, cabbages and other country produce, are from time to time brought here for sale by the people living in the country, and oftentimes wait at the strand, (foot of Whitehall street) without the people living out of that immediate neighborhood knowing that such things are for sale in town:"

Therefore, Saturday in each week was fixed as a market day, and the articles "to be brought on the beach near Hans Kiersted's house, of which all shall take notice."

In 1658 a meat market was established, and a small house erected on the plain in front of the fort; and in 1659 a yearly fair for the sale of cattle was established on the Bowling Green.

In 1664, when the "town of Manhattan" was surrendered to the English Colonel Nichols, the articles of capitulation show, that among the property then possessed by the city were "two market-houses."

In 1676, proclamation was made by Governor Andross, that the market should begin on Saturday, 24th March ensuing, and every Saturday following, to be held in the house now building by the water-side, near the bridge and weigh-house, to be in force for three years. In 1679, the Mayor and Aldermen changed the day to Wednesday, at the same place. In 1683, the committee on the wharf, market and ferry, reported from the governor, that the conditions on the wharf, market and ferry, were wholly taken off, they being intended only as *directions*, not as *tenure*. In the same year, Tuesday, Thursday and Saturday were fixed as market-days; butchers' meat and flesh to be sold on Tuesday and Thursday, from 8 to 12 in the forenoon; and on Saturday, the same time in the forenoon, and from 2 to 4 o'clock in the afternoon, to be opened and shut by the ringing of the city bells—anything exposed afterward, to be forfeited. In May, 1684, the market was removed to the vacant ground before the fort, and butchers were ordered to erect stalls, etc., at their own charge.

The 13th section of the charter of Governor Dongan, in 1686, allows three market-days each week.

In October, 1691, it was ordered "that there be two markets for flesh kept—one in the Broadway, over against the fort, the other under the trees by the slip. That fish be brought into the dock over against the City Hall, or the house that Long Mary formerly lived in."

In 1692, it was ordered that the committee let out what is to be let of the old market-house next the bridge; also, the new market-house at the end of Broad street—and shambles allowed.

In September, 1694, "ordered, that the market-house or shed in the Broadway be let to Henry Crosby, butcher, for seven years, at one pound per annum and repairs."

An abstract has been made out, from the manuscript minutes of the proceedings of the Common Council, from 1676 to 1830, of such facts as have a material bearing on the question discussed in this report, which is annexed and marked No. 1. Since 1830, the minutes are printed, and reference can be made to the printed volumes.

It appears, by this statement, that in 1699 the inhabitants of Queen street (now Pearl) petitioned "that a market be appointed at Coenties Key, and that they would build a market-house, at their own charge, for the public benefit."

This petition was granted, and the market-house was built.

In 1700, as stated in Valentine's History, there were two public markets for flesh—at the Bowling green and at

Hanover square—and one for fish at Coenties slip. On the 19th of February of the same year, as shown in statement No. 1, the market-house in the "South ward" was granted to the inhabitants thereof for fifty years, the inhabitants of the ward being required to erect a market-house according to a model furnished, pay a yearly rent of twelve pounds, keeping and delivering the same to the city in good repair at the expiration of the fifty years.

In 1701, the inhabitants in the neighborhood of Burgher's path had liberty, at their own expense, to erect a market-house, on certain vacant lots, "for the conveniency and accommodation of the public." (Statement No. 1.) The next year the old market-house in the Broadway was ordered *to be leased for five years*. In 1711, "the inhabitants in and about the Broad street" had liberty to build such stalls and sheds, and other conveniences as they desired, in the market-place.—[*Ibid.*

In 1720, the inhabitants of the South ward were permitted, at their own charge, to remove the market-house near the custom-house to a more convenient place near the water side. The inhabitants of Wall street were also permitted to remove their market-house higher up into the said street, or repair it where it then stood, "at their own proper cost and charge."—[*Ibid.*

In 1728, the inhabitants of Burgher's path were allowed to repair the market-house at their own charge.

In 1731, the laws regulating the public markets allow every day in the week, except Sundays, as market-days, from sunrise to sunset; fees are also allowed to market clerk. Four public markets are enumerated.—[*Ibid.*

The 17th section of the Montgomerie grant of 1730, authorizes the corporation to keep markets at five several places, on every day in the week throughout the year, except Sunday, to wit: at Coentics dock, at Burgher's path, at Countesses slip, at the lower end of Wall street, and another at the end of Long Bridge (foot of Broad street.)

In 1733, the freeholders and inhabitants of the West Ward applied for leave to erect a public market, "by voluntary subscriptions, at Thurman's slip, for the accommodation of farmers and other persons from the Jersey side and up the North river." The application was granted.—[*Ibid.*

THE COMMON COUNCIL TAKE CHARGE OF THE MARKETS
BUILT BY THE INHABITANTS.

In 1735, provision was made for the Common Council to take charge of all the markets—to abolish all fees, and to lease the stalls to butchers, not more than two to any one, at an annual rent, payable monthly; also, allowing stands in the market to country people, free of charge; and excluding "hucksters" from all the markets.—[*Ibid.*

In the same year, the butcher's stalls in the market at Burgher's path, (Old slip) and at the Fly market, (Maiden lane) fourteen in all, were let for a total sum of seventy-two pounds.—[*Ibid.*

In 1736, the inhabitants of East Ward were allowed, at their own cost, to enlarge the market-houses at Countess Key and the Old slip, the Market Committee to regulate the new stalls, and see that the country people are accommodated.

In 1738, the inhabitants of the "West Ward" applied for liberty to build, at their own expense, a market-house or public use, 42 by 25 feet, in the middle of Broadway opposite Crown street, (now Liberty.)

The same year the inhabitants of Dock ward and South ward were allowed at their own cost, to erect market-houses in Broad street, the same to remain a public market house, for the public use and benefit of this Corporation.

THE CORPORATION ASSUME THE REPAIRS AND MANAGEMENT
OF ALL THE MARKETS.

The same year (October 14, 1738,) the Market Committee was authorized to "enlarge, alter, repair and support, from time to time, all and every the market-houses, at the expense of the Corporation; to apportion the size and mark and number the stalls and standings—to contract for letting the same to butchers, being freemen of this city.—[*Ibid.*]

In less than nineteen months after the Common Council applied the machinery of the municipal government to the business of enlarging, repairing and supporting the markets, &c., &c., to wit: on the 4th of May, 1740, the Market Committee reported great trouble and difficulty in the management of the markets—many stalls were used without compensation, and the Committee expressed an opinion, after a trial of a little more than a year and a half, that some other method ought to be taken, *less burthen-some, and more profitable to the Corporation.* Accordingly, the next year, 1741, it was ordered that the Clerk of the Board *advertise the public markets to be let for one year, at public auction.* The Mayor, who was nominally clerk of the

market, and received the market fees, protested against this change. The markets, however, continued to be rented yearly at auction, until 1759, at sums ranging from £100 to £150 for the whole. (See No. 1.)

In 1760, the stalls and stands of the several markets were sold at auction for one year, from May 1, to Benjamin Payne, shopkeeper, for £245, and lease given, &c. In 1766, "the stalls and standings in the several markets were leased at auction for *two years*, to Alexander White, gentleman, at an annual rent of £440.

In 1771, it was ordered, that a market be erected on the corporation lots at Dies dock.

In 1784, a question arose as to certain extraordinary repairs, when it was determined by the Common Council that the Corporation should pay the cost of the "extraordinary and great repairs which the markets required, by reason of the ruinous condition in which they were found, on the evacuation of this city by the British troops."

In 1786, application was made by the inhabitants in the vicinity of Catharine street, for the privilege of erecting a private market-house at their own expense.

In June of the same year, Colonel Rutgers reported to the Common Council, that the Catharine market-house was completed, and it was established as a public market.

In February, 1787, James Duane, Mayor, reported the market fees received by him as clerk of the market, at £588 4s. 8d. It was ordered, that the Mayor pay one half to the treasury, and retain the other half as clerk of

the market. In 1792 it was ordered, that cellars under the Hudson market be let at auction.

THE PREMIUM STALLS.

In 1796, twenty-three butchers' stalls were sold in Fly market, at the foot of Maiden lane, ranging from £20 to £530. A list of the names of the purchasers, and the amount is given in statement No. 1.

This list is embraced in a report of the Market Committee, made in 1799, and which gives a more rational interpretation in regard to the tenure by which the premium stalls are held, than is elsewhere to be found, so far as the Comptroller has had access to reports on the subject.

Although, as stated in the report, the purchasers received no written conveyance, the heirs of the purchasers claimed the stalls by right of inheritance; the committee say the condition of sale does not warrant any such conclusion; still they propose, in order to settle the matter, to give a title for twenty years, and to extend, during the life of the original purchaser, beyond that period.

The committee report:

"That it is a customary thing for butchers, holding other stalls than those already mentioned, to sell the same, thus drawing an emolument therefrom which they do not appear entitled to, and making a kind of monopoly of the stalls, calculated to destroy that competitorship in the sale of meat which is always beneficial to the public.

"Your committee, therefore, recommend that measures be taken to sell, at public auction, the stalls in all the

markets, not already sold, on the first day of May next, for the term of five years. December 30th, 1799."

In 1822, the Fly market was pulled down, the Fulton market being then completed. In 1824, fourteen of the purchasers of stalls in the Fly market, who had paid £3,470, applied for remuneration, and the matter was referred to the Finance Committee. This committee set forth that—

"The butchers, on the one hand, claim that they were entitled to these stands in fee, and the market never to be removed: on the other hand, this Board has always believed that no other estate was sold, than the lives of the original purchasers, but determinable whenever the corporation should think proper to remove the old market.

"The petitioners then, or some of them, commenced suits against the corporation for damages. On the trial of one of these suits, (that was brought by David Seaman) a verdict of \$600 was found for the plaintiffs; and, under all the circumstances of that case, your committee did not deem it advisable to recommend any further defence in those suits."

The committee recommended a compromise, by paying to each person the amount he had paid originally for the stall. This report was made November 22, 1824.

In 1842, the subject of premium stalls and paying back sums received for such stalls, was referred to the then Comptroller, D. D. Williamson. His report is Document No. 45, Board of Aldermen, page 408, vol. 9. In this report Mr. Williamson says :

"The question naturally occurs, has the corporation ever sold any stalls or stands to the butchers? I answer, they have not. Has any butcher ever paid for any stands in any of the public markets? I answer, they have not. The choice of stalls has been sold, and the premium for such choice has been received by the city, and placed to the credit of the Commissioners of the Sinking Fund. I challenge any butcher in the city of New York to show any right or title whatever that he derived from such payment, except it was a license from the Mayor to occupy said stall for a year, or a part of a year. It is all idle for any one to say that the city is to pay back or return any money thus received. It cannot come out of the Sinking Fund, and I trust the citizens will not allow themselves to be taxed \$80,000 for the purpose. The butchers have no more right to it than to the rents already paid; besides, if the matter is properly inquired into, it will be found that the great losses they have sustained is in the sale of 'good will of stalls,' one to another, where much money has been paid; and that which is now due, and probably will never be paid, would amount to more than the premiums paid for the choice of stalls. It never was the intention of the Market Committee, or the corporation, that any title should pass in the sales for premiums; the butchers had the good will, as it is termed, of the particular stall they bid in, to enjoy it during good behavior as long as they wished, to be allowed to transfer it to another butcher by consent of the Common Council, which consent was always to be asked and obtained. Now, if they have the rights they speak of, why ask for consent to transfer to another? Why join in a petition to have the transfer made to another, stating that they have relinquished all right and title to the same? The thing is absurd on the face of it."

Besides the information possessed by Mr. Williamson as Comptroller, he had been for several years clerk of the Committee on Markets, as he states in the report. And he concludes his report as follows:

"I have carefully observed the course adopted and carried out by the butchers, and must say that they have no claim on the city, either in law or equity, for a reduction of rent, or for a return of money heretofore paid by them as premiums for a choice of stands in any of the public markets."

Mr. Williamson also called on the Counsel to the Corporation, David Graham, jr., for his opinion, and he replies as follows:

"I understand the fund referred to in this resolution to have been derived from the premiums for the good will or choice of stands in the public markets, and to have been paid into the Sinking Fund as a portion of the market rents, under the provision of the ordinances above referred to."

LIST OF PREMIUM STALLS IN THE SEVERAL MARKETS.

The Clerk of the Common Council has furnished a printed list of butchers' stands in the several markets, published by the Joint Market Committee, in 1845, designating the "*premium stands*," by a star. The number of premium stands, and the number for which premiums were not paid, as shown by this list, are given below:

| | Paying Premium. | Not paying Premium. | Whole No. |
|------------------------|--------------------|------------------------|--------------|
| Washington Market..... | 13 | 44 | 57 |
| Tompkins " | 10 | 6 | 16 |

| | | | | |
|------------|-------------|-----------|-----------|-----------|
| Fulton | Market..... | 44 | 20 | 64 |
| Franklin | " | 1 | 9 | 10 |
| Catharine | " | 5 | 39 | 44 |
| Jefferson | " | 3 | 13 | 16 |
| Monroe | " | 5 | | 5 |
| Essex | " | 0 | 46 | 46 |
| Union | " | 5 | 11 | 16 |
| Gouverneur | " | 0 | 4 | 4 |
| Clinton | " | 28 | 10 | 38 |
| Centre | " | 0 | 35 | 35 |
| Greenwich | " | 2 | 12 | 14 |
| | | <hr/> 116 | <hr/> 249 | <hr/> 365 |

The sums paid into the city treasury for premium stalls of butchers, as shown by the books of the Comptroller's office, amount to \$80,311 55. The sum paid on account of each market is shown in statement No. 2, following which is a list of the number of the premium butchers' stands in the several markets in 1845, according to the statement of the Market Committee, and the sum charged daily for rent on each premium stall.

An examination has been made of the minutes of the proceedings of the Joint Market Committee, to whom was committed the entire control of the markets for a number of years; extracts from these minutes are appended, and marked No. 3.

It is stated by Mr. De Voe, who has occupied a stand in the Jefferson market for a long period, that the system of selling stands in markets, for a premium, was abandon-

ed in 1835; and that after that time the choice of stands was drawn for.

In a report of the Market Committee in 1844, to the Board of Aldermen, Doc. No. 52, of Vol. II. of Documents, the following estimate is made of the total value of the market-ground, at three periods, viz:

| | |
|-----------------------|----------------|
| In the year 1838..... | \$1,167,820 00 |
| “ 1840... .. | 934,000 00 |
| “ 1843..... | 1,112,500 00 |

The estimate for 1838, embraced the following markets, viz: Centre, Clinton, Essex, Fulton, Greenwich, Jefferson, Monroe, Tompkins, Union, Washington, Catharine, Franklin and Gouverneur—in all, thirteen markets.

In a report made by Col. Childs, (Doc. No. 16, of Aldermen, in 1849,) he says:

“The policy of municipal, state, or national governments, providing buildings to carry on any branch of business that is within the means of individuals, or an association of individuals, is, to say the least, exceedingly doubtful—and no one will claim that the erecting of market accommodations are not as much within the means of individuals and associate enterprise, as those erected for manufacturing and commercial purposes; and our own citizens should not be taxed to support the one more than the other.

“If there were no markets provided, we should soon see, not only individuals, but associations erecting them with neatness, and accommodations far superior to any we now have.”

The Commissioner also gives a statement of the receipts and expenditures of the several markets in 1848-9, which shows a loss on each of the markets, except Washington, equal to a total of \$29,653 04. The excess on the Washington market is \$3,467 68, which still leaves a deficiency of \$26,186 36. If to this be added the cost of the annual repairs of the markets, it shows a total annual loss of fifty thousand and twenty dollars. A copy of this estimate of Col. Childs is appended, marked No. 4.

Statement No. 5, shows the receipts from the several markets from 1844 to 1853, on account of "market fees," "butchers' stands," and "market cellars."

Statement No. 6, is an estimate of the value of the market grounds and buildings of the several markets. The totals of this estimate are as follows:

| | |
|---|----------------|
| Total value of land used by the markets.... | \$925,000 00 |
| Value of market houses | 116,000 00 |
| Total of lands and buildings..... | \$1,041,000 00 |

Statement No. 7, shows, first, the receipts from the several markets, in the year 1853, on account of "market fees," "butchers' stands," and cellars. The totals are as follows:

| | |
|---|-------------|
| Fees..... | \$57,209 98 |
| Butchers' stands..... | 14,734 79 |
| Rent of cellars..... | 12,306 18 |
| Total..... | \$84,250 95 |
| The total expenditures on account of all the markets in the same year..... | 44,017 73 |
| Excess of receipts over expenditures | \$40,233 32 |

But in this estimate no allowance is made for the market grounds and buildings. The interest, at seven per cent. on the estimated value of the market grounds and buildings is equal to..... \$72,870 00
 Deduct from this 40,233 22
 And it shows a deficiency of..... \$32,636 78

There is a "shop butcher" in Broadway, occupying premises which would yield an annual rent exceeding the whole sum paid annually to the city for butchers' stands, either in the Catharine, Centre, Clinton, or Essex markets. And yet, the person who pays this large amount of rent, considers that he can do a business more advantageous to himself than he could do in any of the public markets with a stand given to him free of rent.

The fact, that more than three hundred persons in the city, notwithstanding the existence, under government protection, of twelve markets, and an investment in them of more than a million of dollars, have rented, and fitted up, at their own expense, "butchers' shops," which are sustained, and kept up, from year to year, by the patronage of those residing in the vicinity, would seem to cover the whole ground, and settle the question, that individual skill and enterprise can supply the tables of the inhabitants with eatables, with the same facility and advantage that it furnishes them with clothing and fuel.

When the business of supplying the people of New York with meats is placed on the same footing as other necessary supplies, and brought down to the standard of a simple business transaction, the valuable property which the

city holds in the large markets might be rented for a term of years, to an individual, or to associations, who would stand in the same relation to the *shop-butchers* that the wholesale dealers in all the commodities which are bought and sold in the city do, to the retailers of those commodities. In that case, the wholesale dealers in meats, and the retail dealers, would pay rents according to the value of the premises rented by them respectively. If those who rented the public markets did not cater to please the public taste, or if they extorted on the "*shop-butchers*," they would soon raise up rivals, whose establishments would regulate the trade on business principles.

Another great advantage would be, the withdrawal of government interference and regulation from matters of a purely business character, between man and man. This is "a consummation devoutly to be wished." All government interference in the ordinary business transactions of life is positively injurious when not called for to prevent or redress a wrong. Forced to admit that "we are governed too much," we still persist in the error, heap up the abuses of misgovernment in regard to matters of a mere business character, and saddle our constituents with the unnecessary expense of these accumulating wrongs.

In testing the experiment of self-government, it is vital to its success that a just discrimination should be made between matters of ordinary business and those which are legitimately the concerns of government. And whilst our institutions are formed on the basis, that the most important prerogatives of government, even sovereignty itself, may be safely confided to the intelligence of the great mass of the people, we are scarcely at liberty to deny that the

management of the markets, and all business operations, should be left to be conducted by the skill and energy of the same power.

One who had analyzed the principles of free government with the mind of a statesman and philosopher, reduces the operations of government to the working of a very simple machine. The material element necessary to make a people prosperous and happy is compressed within the following sentence: "A wise and frugal government, which shall restrain men from injuring one another; which shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government."

An observance of these simple rules in the operations of our municipal government, would save the inhabitants of this city a million of dollars annually, and relieve them from the innumerable vexations and exactions which are incident to the introduction of official agency and the application of government regulations to matters of a purely business character.

REVIEW OF THE MARKET OPERATIONS FROM 1656.

A brief review of the operations of the inhabitants and the city government, in the management of the markets, and the changes of policy at different periods in regard to them, from 1656 to 1854, may afford some useful hints in forming an opinion of the best mode of reaching the objects designed to be accomplished by the establishment of public markets.

About two hundred years since, a single market-day in a week was all that was necessary for the accommodation of the inhabitants of this city; and the day of the week for holding the market was designated by the Governor or the Common Council. The marketing seems to have been carried on in the open air, on the strand, where those who had articles to sell met those who desired to buy, and arranged the matter to the mutual satisfaction of each. A small house was built for a meat market in 1658, on the public grounds; but whether by the Corporation or the inhabitants, is not stated. Market regulations were made in 1683, as to market days, the time and manner of opening and shutting the markets, &c. But as early as 1682, when the meat market was moved to the ground before the fort, butchers were required to erect stalls at their own charge. In 1694, the market in Broadway was let to a butcher for seven years, who was to keep it in repair. Commencing with 1699, the inhabitants built the market-houses at their own cost, and seem to have managed the business among themselves, certain market fees being collected as a compensation to the Mayor.

The practice of building market-houses at the expense of the inhabitants of the neighborhood, continued to as late a period as 1812; and it is believed that the first market built at the expense of the Corporation, after 1699, was in 1812, when the present Washington market was built. And if so, it shows the remarkable fact, that for one hundred and thirteen years the inhabitants built their market-houses and mainly managed the market business. This would seem to show conclusively that the inhabitants were competent for self-government, so far as the business of conducting their own markets is concerned.

The market-houses were generally erected in the public streets, and although built at the expense of private individuals, were considered public markets. The management of the markets was changed in October, 1738. At this period, although the inhabitants of two wards had petitioned in the same year for the privilege of erecting market-houses at their own cost, and these petitions had been granted by the Common Council, yet the desire for government control over the markets had become so strong, that the Common Council appointed a Market Committee, and authorized them to enlarge, alter and support the market-houses at the expense of the Corporation.

It is a fact, full of instruction, that in a little less than eighteen months the market operations, which had gone on, so far as the records show, with apparent satisfaction, under the management of the inhabitants, for eighty-two years, was broken down under a year and a half of government control. This is conclusively shown by a report of the Market Committee, which is copied at length in statement No. 1, and dated May 4, 1740, as referred to in a preceding part of this report.

The report of the Committee, which distinctly recommended that "some other method can and ought to be taken, less burdensome and more profitable to the corporation, in selling the stalls and standings in the market-houses," was approved by the Common Council; and, on the 4th of November, 1741, an order was passed, directing "the clerk of the Board to advertise the public markets to be let for one year, at public auction!" This order was carried into effect, and the method adopted by it continued for nineteen years with apparent satisfaction. Af-

terward, and in 1760, an individual shopkeeper rented the markets for a year, and in 1766, a "gentleman" named White, rented them for two years, at £440 per annum.

Although the Corporation resolved to enlarge and repair the markets, yet we find, in 1786, an application from Col. Rutgers and his associates, offering to build the Catharine market at their own expense, which was done in that year. Again, in 1788, permission was asked and granted to the inhabitants to erect a market-house at their own expense, in the street leading from the Exchange to the river. In 1792, cellars under the Hudson market were let at auction.

It was not until 1796, that the plan of premium stalls was devised. The sales of stalls were made at public auction, but it will be seen by a copy of the notice for the sale, that none could buy the stalls but licensed butchers; and none of the butchers in the other markets were allowed to purchase stalls in the Fly market. This, therefore, was rather a close monopoly, in disposing of stalls in a public market, constructed at the expense of private individuals.

It is obvious that a course like this, followed out in relation to the sale of stalls in each of the markets, would gradually place the large amount of property vested in the markets, partly by the inhabitants and partly constructed at the expense of the whole city, in the hands and under the control of a very limited number of butchers, and would produce in effect a narrow monopoly, which must, sooner or later, give way to the increase of population, and the consequent increase of young butchers, desir-

rous of establishing themselves in business on an equal footing with others. And thus, we learn, from the recent publication of Mr. De Voc, an old butcher, that the "main cause" for abandoning the premium system, and substituting a draft by lot, *"was, that the young butcher had no chance to go into business without money enough to buy a stand in our markets, costing from \$500 to \$4,000,"* and payment being required in cash.

The casting of lots for stalls, in 1835, was a modification of the impolitic and unbearable premium monopoly. The free system of allowing the establishment of shop butchers, commensurate with the wants of the city, by the ordinance of 1843, laid the axe at the root of the monopoly, and measurably restored the marketing, as a matter of business, to the hands of the inhabitants of the neighborhood, as the business existed, and was carried on satisfactorily, for more than a hundred years previous to 1796.

The system of government management and premium monopoly, having fallen by their own weight, and being practically abolished by the growing wants of the city and the concessions of the Corporation, why should not the agency of the municipal government be withdrawn, and the whole system made free and harmonious, by being placed in the hands of individuals and associations, and conducted like all other business matters, on strict business principles?

All which is respectfully submitted.

A. C. FLAGG, *Comptroller.*

STATEMENT (No. 1.)

EXTRACTS, RESPECTING MARKETS, FROM THE MANUSCRIPT
MINUTES OF THE PROCEEDINGS OF THE COMMON COUNCIL
FROM 1676 TO 1830.

BY THE GOVERNOR.

1676, 29th January, in *Common Council*.—Whereas, A weekly markt in this citty, hath beene thought necessary for the convenience, good and welfare of the inhabitants and neighbourhood, for w^{ch} a fitt house being now built by the water side, neare the bridge and weigh-house, I have by the advice of my Counsell and Court of Mayor and Aldermen, resolved and ordered, and doe hereby publish the said markt, to begin on Saturday the 24th of March next, ensuinge, in the afores^d house, and soe every Saturday followinge, and the ord^r of the Court of Assize for a flayre to bee also observed, to witt: at Breueklin for cattell, graine, &c., produce of the country, the first Monday, Tuesday and Wednesday in November; and in the citty att the markt-house and plaine afore the forte, the Thursday, Fryday and Saturday following.

And that every person or persons cominge to the same are and bee free from any arrest or arrests, for debt or debts in their persons or goods cominge to, or returninge from the said markt or flayre day or dayes, of w^{ch} all persons are to take notice, and conform themselves thereunto accordingly.

This ord^r to bee and remain in force for the space of three years, from the twenty-fourth of March next.

Given under my hand in New Yorke, the twenty-ninth day of January, 1676.

E. ANDROSS.

To the Mayor and Aldermen of this citty, who are to cause this proclamacon forthwth to be publisht.

Proclaimed, February 3d, 1676.

1679-80, 9 *March*.—Before the Mayor and Aldermen—It is ordered that markt on Saturday every week shall be continued, kept and observed; and likewise further ordered, for the better supply of the city with provisions and other necessaries, from this day forwards another markt extraordinary shall be kept every week, on Wednesdays, at the usual markt-place, near the bridge and weigh-house.

1683, 1 *March*.—The Committee on the Wharf, Markt and Ferry, reported from the Governor, that the conditions on the wharf, markt and ferry were wholly taken off, they being intended only as directions, not as tenure.

1683, 15 *March*.—Ordered, that Tuesday, Thursday and Saturday in each week be, and are hereby appointed markt days, for the exposing to sale, at the markt-house, all butchers' meat and flesh whatsoever, that is to say, on Tuesday and Thursday, from eight to twelve of the clock in the forenoon, and on Saturday, the same time in the forenoon, and from two to four o'clock in the afternoon.

For the markett shall be opened and shut by the ringing of the city bells, at the times aforesaid, before and after which ringing of the bell, no butchers' meat or victuals is to be exposed for sale in the markett, under the penalty of forfeiture.

No huckster shall engrosse any poultry, eggs or fresh butter, coming to the markett, under pain of forty shillings.

No person shall forestall any provisions or victuals coming to the markett, as to buy in any private place other than the markett, under pain of forfeiture of the same, whether found in the hands of the buyer or seller.

The orders in relation to the marketts shall not be put in execution until the week after Easter, when the same is to be duly observed and kept.

1684, 24 *May*.—Ordered, that the market be removed from the place where it is now kept, to the vacant ground before the fort, and that the butchers erect stalls, &c., at their own charge.

1691, 15 *October*.—Ordered, that there be two markets for flesh, kept; one in the Broadway over against the fort, and the other under the trees, by the slip.

That fish be brought unto the dock, over against the City Hall, or the house that Long Mary formerly lived in.

1692, 18 *February*.—Ordered, that Committee let out what is to be let of the old market-house, next the bridge;

also the new market-house, at the end of Broad street, and shambles allowed.

1694, 25 *September*.—Ordered, that the market-house, or shed in the Broadway, be let to Henry Crosby, butcher, for seven years, at one pound per annum, and repairs.

6 *September*, 1699.—The petition of the inhabitants of Queen street was read, praying that a market be appointed at Countess Key, and that they will build a convenient Market-house, at their own charge, for the publick benefit. Petition granted and ordered, that the inhabitants of the said street, at their own cost and charge, have liberty to erect any publick building at Countess Key, aforesaid, for the convenience and ornament of the city.

19 *Febry*. 1700.—The Committee appointed to view the Market-house, on the application of the South Ward, reported & ordered, that the Market-house be granted to the said ward, for the term of fifty years, the Inhabitants erecting a public Building, according to the model exhibited, paying a yearly rent of twelve pounds, & keeping & delivering the same in good repair, at the expiration of the 50 years.

30 *June*, 1701.—*Resolved*, that the old Market-house, near the Custom House Bridge, be forever hereafter, appropriated for a publick Market-house, for the benefit and conveniency of all persons that should resort thereunto, in

as full and ample manner, as any other Market-house or Market-place, within this city, now is, or lawfully ought to be.

1701, 8 *July*.—Ordered, that the Inhabitants of the neighborhood of Burger's path, have liberty to erect a Market-house, at their own charge, on the vacant lots of ground fronting to the houses of Leonard Huygen, and that late of Jacob Teller, and that for the conveniency and accommodation of the public; and that the title to the said Land shall be defended by the City, but what damage shall accrue by the cutting or pulling down of the said Market-house, shall be the loss of the neighbourhood, that build the same.

1702, 3 *August*.—Ordered, that the old Market-house in the Broadway, be leased for five years.

1706, 20 *June*.—Pursuant to an order of this Court, bearing date the sixth day of September, one thousand six hundred and ninety-nine, authorizing the Inhabitants of Queen street to build a convenient Markett-house, at their own charge, for the public benefitt, at Countess Key, for the conveniency and ornament of the city.

It is hereby ordered, that such Markett-house as the said Inhabitants shall erect and build, at their own charge, betwixt the houses of Capt. John De Peyster, and Bernardus Smith, att the north end of the slip in Countess Key, aforesaid, be appointed, and continue a public Markett and Markett-house of this city forever.

1709, 4 *October*.—The petition of several of the Inhabitants of the East Ward, was read, praying leave to erect a Markett-house, at the south end of Clarke's slip, at the end of the Wall street, so soon as their conveniency shall permit.

Ordered that they have liberty to erect the same, at their own charge, provided it be finished within two years, from the date hereof.

1711, 7 *Sept.*.—It is hereby ordained, that the North end of the Broad street, between the City Hall, and the Cross street, which goes from the Broadway to the Dutch Church, be appointed and established a publick Markett-place.

Ordered, that the Inhabitants in and about the Broad street have liberty to erect and build such stalls and sheds, and other conveniencies in the Broad street Markett-place, according to regulations, &c., from the Clerk of the Markett.

1720, 16 *Novr.*.—*Resolved*, That the Inhabitants of the South Ward, have liberty to remove the old Markett-house, near the Custom House, to a more convenient place, near the water side, at their own proper cost and charge.

Ordered, that the neighbourhood of the Wall street Markett house, have liberty to remove the said Markett-house higher up into the said street, or repair it where it now stands, at their own proper cost and charge.

1728, 16 *Octr.*—Upon application of the neighbourhood of the Markett-house, at the slips, near Burger's path, It is ordered, that the said neighbourhood have liberty to repair the said Markett-house, at their own charge.

1731, 18 *Novr.*—Law regulating the publick Markets, allows every day in the week, Sunday excepted, as market-day, from sun-rise to sun-set—Market Clerk to collect fees—Declares as public markets, viz:

1—Market-house at the slip, commonly called Coenties Dock.

2—Market-house at the Old Slip, commonly called Burger's path.

3—Market-house at the lower end of Wall street, commonly called, Wall street Market-house.

4—Market-house, at or near Countess Key, commonly called, Countess slip.

1733, 6 *April.*—On petition of Freeholders and Inhabitants of the West Ward, for leave to erect and build a publick market, by voluntary contributions, at Thurman's slip, for the accommodation of farmers, and other persons from the Jersey side, and up the North River. Ordered, that prayer of said petitioners be granted, and a Committee appointed to carry the same into effect.

November 4, 1735.—Ordered, the Law entitled, *A Law for the better Regulating and ordering the Publick Marketts within the City of New York*, be forthwith printed, and

(after the ringing of three bells at the City Hall, and Proclamation made for silence) published accordingly.

Forasmuch as the marketts of this city are chiefly supplied by the country people with victuals and provisions, by water carriage, from the neighboring countys and colonies, at different times and seasons as the tides, wind and weather permitt, By reason whereof no particuar times or days can conveniently be appointed for holding the said marketts, Be it therefore Ordained by the Mayor, Recorder, Aldermen and Assistants convened in Common Council, That every day in the week (Sunday excepted) are appointed publick markett days from sun-rising to sun-setting—marketts to be held at the Markett house, at the Slip, commonly called Coenties Dock—at the Old Slip, commonly called Burgher's Path—at the lower end of Wall street, and at Countess Key, called Counteses Slip; Where the country people and others may stand or sit in such part or parts, not appropriated and allotted to other persons by Lease from the Corporation, and there vend their Flesh, Fish, Poultry, Herbs, Fruit, Eggs, Butter, Cheesc, Bacon, and other necessary provisions and commodities; and be it farther Ordained, That, (in regard the marketts are principally intended for the benefitt of house-keepers, who buy for their own use,) The Hucksters and Retailers within this City. who buy to sell again, shall not enter into any of the aforesaid marketts to make their Provisions, and buy to sell again any sort of Markett Provisions of any of the Markett People there, to sell again, or carry the same, to their several Houses and Shops, until the afternoon of every day, to the end, that the House-keepers may provide themselves in the forenoon of every

day, at the first hand, with Provisions at moderate rates; upon pain, that every such Huckster and Retailer shall for every offence forfeit the sum of ten shillings, current money of this province.

And be it further Ordained, (to the intent, that forestalling, regrating and engrossing of victuals, &c., may be the better prevented) that no person or persons from and after publication hereof, shall buy, or cause to be bought, any victuals or things whatsoever within the said City of New York, or the Libertys thereof, coming to any of the marketts, or bargain or contract to buy, before the same shall be brought into one of the said marketts, ready to be there sold; or shall offer to sell again in the markett or elsewhere, any thing so coming to their hands or possession, shall for every such offence forfeit the sum of forty shillings.

And be it further Ordained, That no unwholesome or stale victuals, no blown meat or leprous swine, be sold or exposed to sale, under pain of forty shillings for every offence.

All Butter exposed for sale, in Pound Rolls, Pots, Dishes or other vessells, not exceeding six pounds, shall have the weight of the same marked thereon. Any pound deficient in weight, or fraud discovered, shall be seized by the Clerk of the Markett, and forfeited to the poor of the City.

And in order for making the several marketts of this City more commodious and convenient for the future, as well for the Butchers, being freemen of this City, as of all other persons who resort thereto for the supply thereof, a Standing Committee shall be appointed by the Common

Council, who shall be empowered and authorized to enlarge, alter, repair, and support from time to time, all and every the said Market-houses, and to order and give directions for repairing and enlarging the same at the expense of the City, as they shall find occasion. Also, to apportion the size of (and to mark and number) the several stalls therein, and to contract for the Letting and Setting of the same to the several Butchers, for such reasonable rents as they can agree for, and made payable every month in the year to the Chamberlain of the City for the use of the same.

Provided, That no more than two stalls or standings in any one of the said marketts, shall be let or leased to any one Butcher—

Also, That it shall and may be lawful to, and for all and every, the country people and others, who shall come to the several marketts (other than and excepting Hucksters, who are hereby excluded and intended to be excluded all stalls and standings in the same) with any sort of provisions, &c., to take such stalls, standings and places, not appropriated, as they shall first happen to get possession of, without any fee or reward for the same, for the more plentiful supply of the marketts with all sorts of provisions, at the most reasonable rates and prices—

. All penalties and forfeitures, recovered by virtue of this act, for which no particular direction is given: The one half to be paid to the Chamberlain, and the other half to the informer.

And whereas, by virtue of divers Laws of this Corporation for many years past, the Clerk of the Markett had,

took, and received certain Fees for all neat Cattle, Hogs, Shoats, Sheep, Calves and Lambs, that were killed for the market: the last of which laws expires on this fourth day of November—Be it therefore further Ordained, by the authority aforesaid, that it shall not be lawful for the Clerk of the Marketts of this City, for the time being, from and after the publication hereof, to intermeddle with the receipt of Dutys, Fees or Profits, or take any money of any Butchers or other persons, resorting to, or standing in any of the Common Marketts aforesaid, by virtue of any law, pretended usage or custom of this Corporation, or upon any pretence whatsoever, other than for examining and sealing of weights and measures, by virtue of his office.

10 December, 1735.—Market Committee reported the letting of butchers' stalls, as follows :

MARKET-HOUSE AT BURGER'S PATH.

| | |
|--------------------------|---------|
| Stalls Nos. 1 and 2..... | £22 0 0 |
| “ No. 3 | 1 0 0 |
| “ “ 4 | 3 0 0 |
| “ “ 5 | 16 0 0 |
| “ “ 6 | 1 0 0 |
| “ “ 7 | 3 0 0 |

STALLS IN THE FLY MARKET.

| | |
|------------|-------|
| No. 1..... | 6 0 0 |
| “ 2..... | 1 0 0 |
| “ 3..... | 2 0 0 |
| “ 4..... | 4 0 0 |
| “ 5..... | 5 0 0 |
| “ 6..... | 3 0 0 |
| “ 7..... | 5 0 0 |

£72 0 0

21 *October*, 1736.—Ordered, that Inhabitants of East Ward, have liberty, at their own charge and expense, to enlarge the Market-houses at Countess Key, and the Old Slip called Burger's Path, in such manner as the Alderman and Assistant of the Ward shall from time direct and appoint. The Market Committee of the Board to regulate the new Stalls, and see that the Country people are accommodated.

22 *March*, 1737.—Butchers' Stalls rented for one year.

| | | | |
|------------------------------|-----|-----|----|
| 5 stalls, Burger's Path..... | £42 | 0 | 0 |
| 6 " Fly Market | } | 27 | 10 |
| 1 " Coenties Market, | | | |
| | | £69 | 10 |
| | | 0 | |

13 *April*, 1738.—On petition of Inhabitants of West Ward, for liberty to build at their own expense, a convenient Market-house for publick use, to be forty and two foot in length, and twenty-five foot in breadth, in the middle of Broadway, opposite Crown street. Ordered, that the prayer of petitioners be granted, and the same to be finished within three months.

4 *May*, 1738.—On petition of Inhabitants of Dock Ward and South Ward, for liberty to erect a Publick Market house, at their own cost and charge, in Broad street, between the Watch-house and the Dwelling-house of John Lachly, for the benefit of the said Wards and City. Ordered, that prayer of petitioners be granted, and the Aldermen and Assistants of said Wards be a Committee to

ascertain and stake out the place, the same to be at the expense of petitioners, and remain a publick Market-house for the publick use and benefit of this Corporation.

14 October, 1738.—Market Committee appointed; authorized to enlarge, alter, repair and support, from time to time, all and every the Market-houses, at the expense of the Corporation—to apportion the size of, and mark and number the Stalls and Standings—to contract for letting the same to Butchers, being Freemen of this City, no more than two Stalls to any one—rents payable monthly or quarterly, giving security for payment to the Chamberlain.

4 May, 1740.—The Committee appointed to agree with the butchers of this City, made their Report in the words following, viz:

*City of New York, ss:—*By virtue of an order of this Court of Common Council, made the Second day of November last, appointing us a Committee, (among other things) to contract for the letting or setting the Stalls and standings in the Markett-houses of this city, to the severall Butchers Resorting thereunto; Do, in obedience to the said order make this Report: (That we have, after many and frequent meetings, great trouble and difficulty,) agreed with the severall Butchers, who have subscribed their names to the paper hereunto annexed, for the Stalls and standings in the severall Markett-houses above their names set, and the sum or price to their respective names put down. We also, further report, that George Younge and

Thomas Cox, two butchers of this City, did not appear before the Committee, tho' sundry times summoned for that purpose. That Israel Horsfield and James Ruffhead, (tho' they frequently appeared and attended the Committee,) yet refused to agree notwithstanding a considerable abatement offered the former. The Committee Do beg leave, also, humbly to inform this Court that one Evarardus Brouwer and many others, living on Nassau Island, who make it their chief business, to buy, kill and sell cattle, do daily come and take up the stalls or standings in the said Markett-houses, without paying any thing for the same. Lastly, the Committee are humbly of opinion that some other methods can, and ought to be taken less burthensome, and more profitable to the Corporation, in setting the stalls and standings in the Markett-houses than have been heretofore, all which is humbly, nevertheless submitted to the consideration of this Court.

WILL ROOME,
S. JOHNSON,
PETER VAN RANST,
PETER JAY,
H. DE PEYSTER,
SAML. LAWRENCE.

Which Report is approved of by this Board, and ordered that the Common Clerk, commence an action in the Supream Court, against Israel and Timothy Horsfield, for the rent due from them for their stalls or standings in the Markett-house.

1741, 4 *November*.—Ordered, that the Clerk of the Board advertise the publick Markets, to be let for one

year, at publick auction. The Mayor, as Clerk of the Markets, and entitled to the fees, protesting.

7 *November*.—The rate of fees which the lessees are entitled to collect of Butchers, established.

Ordered, that Markett-house at the lower end of Wall street, commonly called the meal markt; and the Markett-house in the Broadway, commonly called the Broadway Markt, are declared to be publick meal marketts, for the sale of Meal, Wheat, Rye, Barley, Oats, Indian corn, Buckwheat, or any kind of meal, grain or corn—and for selling at any other place than the two marketts, the offender to be fined six shillings.

The marketts were rented yearly, at auction, up to 1759, at sums varying from one hundred to one hundred and fifty-one pounds, for the whole.

1760, 1 *April*.—The stalls and standings of the several markets were sold at auction, for one year, from May 1st, to Benjamin Payne, shopkeeper, for £245, and Lease given.

1766, 18 *March*.—The stalls and standings in the several markets, Leased at auction for two years, to Alexander White, Gentleman, at the annual rent of £440.

1771, 24 *Jan'y*.—Oswego Market, in Broadway, being indicted as a nuisance, the Common Council agreed to traverse said Indictment, and ordered Committee to employ Mr. Duane, as Counsel.

19 *Feby.*, 1771.—The law, in addition to a law, for regulating the publick Market, was this day published, provides:

Whereas, The country people in and by the abovesaid law, are permitted to sell, or expose to sale, in all or any of the publick markets of this city, Beef, Pork, Veal, Mutton & Lamb, first paying the fees or rates mentioned therein to the farmer of the market, in the same manner, quantity & proportion, that the Butchers & others are to do; and whereas, the Mayor, Aldermen & Commonalty of the said City, in order to accommodate the said country people coming to the aforesaid publick marketts, have provided four Tables in the Fly Market, & made a platform, & erected Benches along the same, for their use; and whereas, not only many of the Butchers, as well as the Hucksters & Retailers within this city, do occupy the said Tables & Benches, & make use of the same for laying on their Veal, Mutton, Lamb, Poultry, Eggs, Butter, Cheese, Bacon & many other sorts of market provision, to the great inconvenience & prejudice of such country people; Therefore it is ordained, that if any Butcher, Huckster, or Retailer shall, from after the first day of March next, use, or occupy any part of the said Tables, Benches or Platforms of the Fly Market, they shall forfeit & pay for every offence the sum of twenty shillings, lawful money of the state of New York.

19 *Aug.* 1771.—On the question of erecting a market, it was decided, that a Market shall be erected at the Corporation's Lotts, to the Northward of Die's Dock.

Resolved, That if a market be erected by the neighborhood, at the place now agreed upon, that the same do not

exceed two hundred & ten feet in length, & thirty feet in breadth; that a stone foundation be laid under the whole, and that the building of the same be under the entire direction of this Corporation.

22 *Augt.*, 1771.—A plan of the market intended to be erected on the Corporation lotts, to the northward of Die's Dock, which is to contain one hundred & sixty-six feet in length, and twenty-eight feet in breadth, was exhibited to this Board, and approved of. Ordered that the Aldermen and Assistants of the West, North & Montgomerie Wards be a Committee to superintend the same & see that it be completed by the first day of November next.

28 *Oct.* 1771.—The petition of Wm. McAdam, and sundry others, was read, setting forth, that they have lately, at the expense of five hundred pounds, erected a market, on the Corporation's ground, in compliance with a late order of this Board, which is now opened, and much resorted to; that they have since heard, with much surprise, of a late application to this Board, for leave to erect another market, within two hundred yards of the one they have erected, and therefore pray, in consideration of the great expense they have been at, this Board will not permit any other market in that neighborhood to be erected, as the one they have lately set up will, for many years to come, be sufficient for every purpose of a publick market in that quarter of the city. But in case another market should be authorized within the distance aforesaid, of the one they have erected, they rely upon the equity of the Board, to

repay them the money they have so expended, on the good faith of the Corporation. Postponed for further hearing.

1772, 7 *Jany*.—Abram Messier informed the Board, that himself, and others, had erected a building as a Market-house, at the North River, and were desirous of conveying the same to the Corporation, for public use.

7 *May*.—Ordered that £20 be allowed towards the repairs of Coenties Market.

1784, 26 *Augt*.—Mr. Mayor informed the Board, that by the late law, for regulating the public markets, it was doubtful, whether the late repairs to the markets were intended to be defrayed out of the market fees, or at the corporation expence, and requested the opinion of the Board thereon.

Whereupon, it was declared by the Board, that the common and ordinary repairs, and the sweeping and cleaning of the markets, were intended to be defrayed out of the market fees, and not the extraordinary and great repairs, which the markets required, by reason of the ruinous condition in which they were found, on the evacuation of this city by the British troops.

1786, 31 *May*.—A petition of a number of the Inhabitants in the vicinity of Catharine street, praying permission to erect a public Market-house at Catharine slip, at their own expence, was read:

Ordered, that permission be given accordingly, and that said Market-house be subject to the rules established by law, and that the Aldn. & Assist. of the Out and Montgomerie Wards, and the Assist. of the North Ward be a Committee to regulate Catharine street, to determine on the place where the said Market-house, and the manner of building it, and report the same to this Board.

1786, 28 *June*.—Mr. Henry Rutgers attending, informed the Board, that the Market-house, at Catharine slip, was erected and ready for the reception & accommodation of Butchers and country people.

Ordered, that the said Market-house be established as a public Market-place, and subject to the rules and regulations of the other market-places in this city.

1787, 5 *Feby*.—James Duane, Mayor, laid before the Board, an account of proceeds of fees received by him, as Clerk of the Markets, amounting to £583 4s. 8d. Ordered, that the Mayor pay one-half to the Treasury, and retain the other half as Clerk of the Markets.

1788, 14 *Octr*.—A petition of the neighborhood of the Exchange, for permission to erect, at their own expence, a Market-house in the street, leading from the Exchange to the River. Referred to Aldn. & Assist. of South, Dock & East Wards.

17 *Oct*.—Petition considered, and Committee ordered the placing of the market.

1792, 29 *Augt.*—The Cellars under the Hudson Market ordered to be let at auction.

The Committee upon Butchers' Stalls,

REPORT:

Sales of Stalls in Fly Market.—That they find by the records of the Common Council, the following Stalls in the Fly Market, were sold at publick auction in the year 1796, to the persons and for the sums fixed to their respective names:

BETWEEN PEARL AND WATER STREETS.

| | | |
|--------|------------------------|------|
| No. 3. | David Man..... | £ 58 |
| " 7. | Mathew Fox..... | 85 |
| " 9. | Mathew Vogel..... | 62 |
| " 13. | Daniel Ensley, Jr..... | 43 |
| " 15. | Nicholas Smart..... | 55 |
| " 17. | James Reading..... | 75 |
| " 19. | John Barr..... | 60 |
| " 18. | John Corby..... | 40 |
| " 8. | John Davenport..... | 20 |

BETWEEN WATER AND FRONT STREETS.

| | | |
|---------|------------------------|------|
| No. 72. | George Manolt..... | £530 |
| " 71. | David Simmons..... | 290 |
| " 70. | John Pell..... | 285 |
| " 69. | Daniel Winship..... | 205 |
| " 68. | George Merserve..... | 320 |
| " 67. | Whitehead Cornell..... | 170 |
| " 66. | James Young..... | 310 |
| " 65. | Benjn. Cornell..... | 165 |

| | |
|------------------------------|------|
| No. 64. Henry Lovell..... | £280 |
| " 63. Isaac Bayea..... | 180 |
| " 62. John Pessinger..... | 150 |
| " 61. Cornelius Schuyler.... | 175 |
| " 60. Burdet Striker..... | 210 |
| " 50. Andrew Ross..... | 200 |

The conditions of sale were in the words following:

" None to buy but licensed Butchers subject to such regulations & fees as the Corporation may direct from time to time; & no transfer of any stall so purchased to be made without leave of the Corporation; butchers having stands in the upper market & becoming purchasers in the lower market, are considered to have forfeited their stalls in the upper market—None of the Butchers in the other markets are to have leave to become purchasers in the Fly Market.

It does not appear that the purchasers received any written conveyance for the stalls by them bought.

The Heirs and Widows of the deceased purchasers, having held up an idea of a legal claim to the stalls by virtue of Inheritance, your Committee thought proper to have an interview with the Butchers now holding the stalls so sold, the result was, that they generally say they understand the right to the stalls is vested in them, their heirs and assigns forever—

The conditions of sale, however, does not seem to warrant any such conclusion, but as the kind of right sold may be somewhat equivocal & give frequent cause for discussion, therefore, in order to settle a compromise which the present purchasers themselves seem disposed to meet—

Your Committee recommend that the Butchers now holding any of the stalls hereinbefore mentioned, & which they have paid for, shall respectively upon application to the Board, receive a conveyance for the same, vesting in them & their assigns, being licensed butchers, the right to such stall until the first day of May, in the year eighteen hundred and twenty, & for such longer time as the original person to whom the conveyance shall be made may live, & choose to occupy the same—Provided, always, that the condition of sale hereinbefore mentioned, be complied with on the part of the purchasers.

And, your Committee further report, that it is a customary thing for butchers holding other stalls than those already mentioned, to sell the same, thus drawing an emolument therefrom, which they do not appear entitled to, & making a kind of monopoly of the stalls, calculated to destroy that competitorship in the sale of meat which is always beneficial to the publick.

Your Committee therefore recommend, that measures be taken to sell at public auction the stalls in all the markets, not already sold, on the first day of May next, for the term of five years.

NEW YORK, 30th Dec'r, 1799,

JNO. B. COLES,
SELAH STRONG,
PHILIP S. ARCULARIUS.

Books Nos. 13 and 14, of the Manuscript Proceedings of the Common Council, are lost. Mr. Valentine missed them, some five or six years ago, "*when the great attack*

upon the ferry rights of New York commenced;" and, possibly, the Lawyers *may* have "joined issue," for their expulsion from the City Hall.

From December 30th, 1799, to December 3d, 1804, we are therefore without any minutes—

The Index for this period, refers to the rebuilding of Catharine Market, and other interesting market matters.

May 20, 1805.—Report of Market Committee confirmed, for building Fish Market at Catharine slip, expence not to exceed \$500—To be 30 feet on Water street, and 18 feet on the slip—Market Boats to lay under the market, with stairs to accommodate the Fishermen.

June 17.—Upon receiving the report of the Market Committee, Ordered that permission be given to William Kline, to sell meat in the Bowery Lane, at such place as the Alderman and Assistant of the Ward, shall direct, on payment of the usual market fees.

July 1.—Report of Market Committee adopted, to run a new Bulkhead across the slip, at Hudson Market, and fill up the same; Also, to erect a substantial and commodious Market on the ground, when filled up, to be built of brick.

April 21, 1806.—A part of the Corporation basin at the North River, having been filled up, by order of this Board,

for the purpose of having a Market erected thereon, agreeable to a resolution of the Common Council,

Resolved, That a committee be appointed to prepare a plan of a substantial and commodious market, to be built on the said site, and to report the same to the Common Council without delay.

May 19.—On petition of Abraham Cannon, and others, Resolved, that permission be given to the proprietors, at their own expense, to erect a market at the foot of Grand street, by the name of Grand street Market; the same to be the property of the Board, and in all respects subject to its control.

1811, 28 *January*.—Petition for the establishing of a market, at Gouverneur slip, referred to Market Committee.

4 *March*.—Cellars under Catharine market, leased for twenty-one years, from May 1st, at public auction.

| | |
|------------|--------------------|
| No. 1..... | at \$55 per annum. |
| " 2..... | " 50 " |
| " 3..... | " 45 " |
| " 4..... | " 45 " |
| " 5..... | " 75 " |
| " 6..... | " 70 " |

20 *May*.—Market Committee authorized to remove the present Oswego Market-house into Vesey street, below Washington street, and erect such part of there, as they think proper.

PLAN FOR NEW MARKET, NOW WASHINGTON.

February 10, 1812.—The Market Committee presented the following

REPORT.

The Market Committee having been informed that the Common Council had, some years since, the subject of erecting a new Market-house on the west side of the city, under their consideration, and that considerable attention was then bestowed on the subject, and considering that a revival and putting into operation measures calculated to effect so important and necessary improvement would, perhaps, be considered as appertaining more immediately to their class of duties than to any other of the Standing Committees, have notwithstanding, no particular reference has been made to them, presumed to request the attention of the Board again to this subject.

In examining the minutes of the Board, they find that so early as the 1st of July, 1805, the following report was received: "The Market Committee Report."

1st. That the ground on which Hudson market stands is too valuable to be appropriated for a market, and is situated in a street too important for that purpose.

2d. That the said market is in a state of decay, will be useless in two or three years, it being built upon a construction that is inconvenient to the public, and not so productive as a new one upon an improved plan will undoubtedly be.

3d. The Corporation slip is at present a nuisance, it being too shallow, that a considerable part of the bottom

lays bare at low water, which renders it dangerous to the health of the citizens in that part of the city; that the dock around it is rotten, and part of it has already given way.

The Committee are, therefore, of opinion that it will be for the public advantage to run a new bulkhead across the slip, in the manner laid down in a map now presented, drawn by Mr. Mangin, and to proceed to fill up the same, and to erect a substantial and commodious Market-house on the ground to be filled up, to be built of brick, &c.

| | |
|-----------------|--------------------------------------|
| GEORGE JANEWAY, | } <i>Market</i> <i>Committee.</i> |
| JAMES DRAKE, | |
| JAMES FAIRLIE, | |

Ordered that the same be confirmed.

And on the week following, to wit: on the 8th July, 1805, they find the following entry:

The Market Committee having made a report with a map thereunto annexed, that it was expedient to erect a market on the Corporation basin, and the Board having agreed to the said report,

“Resolved, That the Superintendent of Repairs, under the direction of the Committee of Repairs, proceed to build a bulkhead across the said basin, and fill up the same, in the manner laid down in said map, or in any other way that shall appear proper to the said Committee.”

And on the 21st April, 1806, the following is recorded:

“A part of the Corporation basin, at the North river, having been filled up, by order of this Board, for the purpose of having a market erected thereon, agreeable to a resolution of the Common Council.

Resolved, That a Committee be appointed to prepare a plan of a substantial and commodious market to be built on the said site, and to report the same to the Common Council, without delay.

"The Recorder, Alderman Fairlie and Mr. Board, were appointed the said Committee."

By the above extracts, it appears that the Board had then not only concluded to erect a market on the ground contemplated, but had definitively arranged the business, and even appointed a Committee to propose and report a plan.

Until your Committee had ascertained from Major Fairlie, who had a principal agency in the business, the reasons why the measure was suspended, they were hesitating how to proceed. From him they learnt, that the lots belonging to the Corporation on the west side of the new market, together with the ground in front of the line of Greenwich street, were then considered as appropriated to the object; but that in consequence of the leases on said lots having a long time to run, the necessary funds could not so conveniently be then raised therefrom as might be when said leases were about expiring. Your Committee, however, find that this difficulty is now obviated, and that the period is now arrived, when this dormant subject ought to be revived, and the ideas of our predecessors carried into operation.

Removing the Hudson market from the line of so important a street as is Greenwich street, and substituting a range of elegant dwelling houses, is a measure so obviously proper and necessary as supersedes even the attempt to explain what the least reflection will demonstrate. And

if they attempt to carry the same into effect, and are desirous to be in readiness to meet the expiration of those leases, in a manner most advantageous and most accommodating to the public, they cannot move too early in the business.

The leases on those lots will expire on the first day of May, 1813, and if it be intended to sell them together with the ground in front, up to the line of Greenwich street, for the purpose of erecting a new Market-house as was formerly contemplated, it will be necessary to have the same finished in season, so that the butchers who occupy stalls in the present market may transfer themselves without any interruption to that neighbourhood.

This Committee, therefore, takes the liberty to recommend, that the former proceedings of the Board in relation to this subject, be now carried into execution, and that the propriety of appropriating the ground above referred to, for building said market, as also the producing a plan on which the same shall be constructed, be referred to some proper committee.

Which is respectfully submitted,

PETER MESIER,
A. H. LAWRENCE,
JOSH. HEDDEN,
JOHN PELL,
MICHAEL M. TITUS.

Which was approved, and it was referred to the same Committee, to report a plan for the disposal of the lots and for the erection of the market.

June 1, 1812.—Committee report and recommend the sale of the Greenwich street lots, at auction, that the market be erected on a plan submitted, and that the market cover the block bounded by Washington, West, Partition and Vesey streets; forming a hollow square in the centre for the vegetable and fruit dealers. Approved, and Committee empowered to carry into effect.

July 20, 1812.—On the petition of Christian Bergh and others, to erect at their own expense a Market-house at Gouverneur Slip, Committee reported favorably, and approved.

A proposal laid before the Board for establishing a market on a piece of ground between Orange and Rynder streets, fronting Grand street, referred to Market Committee.

Oct. 5, 1812.—On Petition for Market at Greenwich Village, Market Committee reported, that the vestry of Trinity Church offered to cede for a public market, a piece of land 50 feet wide on the south side of Christopher street, extending from Greenwich to Washington street; on condition that when it shall cease to be so used, it shall revert back again. Report approved.

Market Committee, reported they had contracted for building a part of the new market, a substitute for Hudson Market, the present year, by laying the foundation only

along Washington street, and 50 feet down Vesey and Partition streets.

Board appropriated \$2,000—on the contract.

January 18, 1813.—Finance Committee, reported for sale at auction, with other property, 7 lots of Ground on Greenwich street, on part of which the Hudson Market now stands.

March 29.—Market Committee reported, that the market at Gouverneur slip, cost \$357 75-100; two hundred and twenty dollars of which was raised by subscription, and the deficiency made up by Christian Bergh, one of the original donors; Ordered, that Comptroller draw warrant for \$187 75-100 in favor of Mr. Bergh for such deficiency.

May 31.—Market Committee reported, that Washington Market was not in a state to receive the Butchers; Ordered, that temporary arrangements be made near the old Hudson Market.

November 14, 1814.—On petition of sundry persons from the 10th Ward, Ordered that the restricting the sale of meat to the markets, be suspended as to the 10th Ward; and for want of a market in that vicinity, that five butchers be allowed to sell from their several houses, and account under oath for the fees they may receive therefor.

Jan. 18, 1816.—Committee on the subject of erecting a new market near Beekman slip, in lieu of the present Fly Mar-

| | |
|---|-----------|
| ket, Report, the probable cost on the block East side of Beekman slip, to be for Land & Stores..... | \$100,000 |
| Filling in the part covered with water, &c..... | 50,000 |
| Building market..... | 70,000 |
| Whole cost..... | \$220,000 |

Revenue from the market estimated as follows:

| | |
|--|----------|
| The rent of 32 Counting Rooms proposed to be built over the market.....at \$150... | \$4,800 |
| Rent of 32 cellars under the market....at 200.. | 6,400 |
| Rent of 76 stalls.....at 150.. | 11,400 |
| Total..... | \$22,600 |

The expense to be defrayed by appropriating \$140,000 due the City from the United States, and by a loan of \$80,000, of which they propose to discharge the interest, and ultimately pay off the principal by the revenue to be derived from the market itself.

December 16, 1816.—Resolution adopted, appointing a committee to consider and report upon the propriety of taking for a market place the Lots of Ground between Water and Front streets, and between Burling slip and Fulton street, on which lots the buildings were destroyed by the late fire, in lieu of the Ground at Beekman slip heretofore taken.

January 13, 1817.—Resolved, that the proposed Law relative to the new market ground, be so amended as to allow the present proprietors of the same, to retain posses-

sion thereof, till the first day of May, 1818, four months from which period shall be granted the Corporation to pay the amount of damage estimated, excepting so much on said lots as may be required for filling up to the width of South street.

April 7, 1817.—The Counsel of the Board, presented the draft of a petition to the Supreme Court, for the appointment of Commissioners of Estimate and Assessment, relative to lands adjoining Fulton street, pursuant to the Act of the Legislature passed 14th March, 1817, "authorizing the Mayor, Aldermen, &c., to take possession of certain lands;" ordered to be engrossed and authenticated.

July 14, 1817.—Petition of the Inhabitants of the Sixth, Eighth and Tenth Wards, that a market be established in the Eighth Ward, and that a piece of ground owned by Morris Martin, bounded by Orange, Grand and Rynder streets, be selected and taken for that purpose; referred to Aldermen and Assistants of those wards.

August 25.—Committee reported in favor of a market at the public expence, on the gore of Land, bounded by Grand, Orange, Collect and Broome streets.

September 8.—Committee appointed to carry the same into effect.

November 24, 1817.—Market Committee reported names of 14 butchers to be licensed for the stalls at the new mar-

ket, and that the same be called "*Centre Market*;"—approved.

December 8.—Resolution adopted, that the Clerk of Common Council make a Register of the Stalls held by Butchers in the several markets of this city, and that all make returns to the Deputy Clerks of their numbers, and renew their licenses in the month of April in each year.

January 5, 1818.—A proposal, to pay the Corporation \$150 per annum for each stall, in lieu of fees now paid, was offered by several Butchers, read and referred.

June 29, 1818.—Report and Resolution adopted, to issue proposals for estimates in the usual way, for building a market-house 40 by 20 feet, on the centre of Grand street, between Ludlow and Essex streets, in the 10th Ward.

April 20, 1818.—The Market Committee presented a report accompanied by returns of Fly, Washington, Duane, Spring street, Centre and Catharine Markets:

Showing the numbers of the Stalls as occupied, and recommending that the Butchers be licensed agreeable to said returns as made by the Deputy Clerks of the Markets, which was approved, and Licenses directed to be issued accordingly.

"A List of Butchers standing in the Fly Market, April 11, 1818."

(Signed) PETER AMERMAN,

Deputy Clerk.

- | | |
|------------------------|-------------------------|
| 1. William Pulis, | 29. James Byrns, |
| 2. Nicholas Steel, | 30. John Norman, |
| 3. Matthias Smith, | 31. John Whitehand, |
| 4. George Pierson, | 32. John Hobert, |
| 5. John Gritman, | 33. Martin Silbler, |
| 6. John Chapple, | 34. Daniel Tier, |
| 7. Vacant. | 35. John Rodman, |
| 8. William Ponsford, | 36. William Warlow, |
| 9. James Bashford, | 37. Henry Schop, vact., |
| 10. | 38. Eliphalet Wheeler, |
| 11. | 39. John Simonson, |
| 12. | 40. Willett Cornell, |
| 13. | 41. Andrew Wheaton, |
| 14. Thomas Gibbons, | 42. Peter Wilt, |
| 15. | 43. Daniel Burtenet, |
| 16. | 44. John Nash, |
| 17. | 45. Henry Marsh, |
| 18. | 46. David Marsh, |
| 19. David Perrin, | 47. Edward Patton, |
| 20. John Hyde, | 48. William Reynolds, |
| 21. John Kent, | 49. Andrew Fisher, |
| 22. Caleb Concklin, | 50. John Doughty, |
| 23. John Abeel, | 51. William Patton, |
| 24. } Scale & Passage, | Sam. De Camp, occ., |
| 25. } | 52. James Carr, |
| 26. Christian Truss, | 53. John Stamler, |
| 27. William Wright, | 54. John Perrin, |
| 28. James Wright, | 55. Saml. T. Weeks, |

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|-------------------------|-----------------------|
| 56. Christian Stamler, | 65. Benjn. Cornell, |
| 57. Jacob Manold, | L. Jarvis, occ., |
| 58. William Messerve, | 66. Jos. O. Bogart, |
| 59. Michael Crawbuck, | 67. William Kline, |
| 60. William Foster, | 68. Geo. G. Messerve, |
| 61. Cornelius Schuyler, | 69. Daniel Winship, |
| 62. N. Underhill, | 70. John Pell, |
| 63. William Everitt, | 71. David Seaman, |
| Effm. Marsh, occ., | 72. Geo. Manolt. |
| 64. E. Underhill, | |

"Returns of all the Butchers in Washington Market."

(Signed) RICHARD SMITH,
Deputy Clerk.

- | | |
|-----------------------|--------------------------|
| 1. John S. Fink, | 18. Chs. Myers, Jr., |
| 2. Jno. Geo. Graff. | J. L. Finkstall, (occ.,) |
| 3. Chs. Weatherspoon, | 19. Hugh Goble, |
| 4. Thomas Starr, | 20. Jacob Harriot, |
| 5. Nicholas Dean, | 21. Christian Harriot, |
| 6. John Shane, | 22. Charles Gilman, |
| 7. George Haws, | 23. Chs. Gilman, Jr., |
| 8. Simeon Travis, | 24. Thomas Corleys, |
| 9. Charles Guyer, | 25. Barthw. Granger, |
| 10. Benjn. Davis, | 26. John Pessinger, |
| 11. John Henning, | 27. Isaac Byce, |
| 12. Isaac Vaughan, | 28. Samuel White, |
| 13. George Vaughan, | 29. Francis Spicer, |
| 14. William Vonck, | 30. Christian Hartell, |
| 15. Jacob Flager, | 31. John Hutton, |
| 16. Mich. Hiliman, | 32. Corns. King, Jr., |
| 17. James Owens, | 33. Adam Hartell, |

- | | |
|------------------------|------------------------|
| 35. John Davenport, | 46. John Hopkins, |
| 36. Lawrence Wiseburn, | 47. Jacob Acker, |
| 37. Jacob Aims, | 48. James Chivvis, |
| 38. Henry Weeker, | 49. Philip L. Luff, |
| 39. John Brewer. | 50. Cornelius Chivvis, |
| 40. George Hutton, | 51. Lodwick Harpel, |
| 41. William Passman, | 52. Ernest Keyser, |
| 42. William Chivvis, | 53. Thomas Jeremiah, |
| 43. John Chivvis, | 54. Abrm. Vermilya, |
| 44. Henry Owens, | 55. John Fink, |
| 45. William Hopkins, | 56. Alexr. Fink, Jr., |
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"Return of Butchers in Duane Market."

(Signed,)

RICHARD SMITH,

Deputy Clerk.

- | | |
|------------------|-----------------|
| 1. John R. Tier, | 2. Robert Tier. |
|------------------|-----------------|
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"Return of Butchers in Spring street Market."

(Signed,)

RICHARD SMITH,

Deputy Clerk.

- | | |
|----------------------|-----------------------|
| 1. Ernest Fink, | 4. Frederick Glashan, |
| 2. Alexr. Jeroleman, | 6. John Glashan. |
| 3. Adam Coutant, | |
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"Return of Butchers' standing in Catharine Market,
April 20, 1818."

(Signed,)

JOHN BREMNER,

Deputy Clerk.

- | | |
|---------------------------|-----------------------------|
| 1. Francis F. Dominick, | 25. Jacob Varian, |
| 2. William Moore, | 26. Jacob H. Varian, |
| 3. John B. Smith, | 27. William Shott, |
| 4. John Lyon, | 28. Richard Platt, |
| 5. Matthias Tier, | 29. James Goodman, |
| 6. Christn. Hartell, Jr., | 30. Andrew Hutton, |
| 7. George Thompson, | 31. Jonathan Skillman, |
| 8. Philip Bowhan, | 32. Thos. McCready, |
| 9. William Messerve, | 33. Matthew Byrne, |
| 10. Richard Varian, Jr., | 34. Jacob Odell, |
| 11. Peter Valentine, | 35. H. Pessinger, (vacant,) |
| 12. Caleb Vandenberg, | 36. Andrew Smock, |
| 13. | 37. William Messerve, |
| 14. Philip Romaine, | 38. Olley Fisher, |
| 15. John P. Harmony, | 39. James Reeves, |
| 16. James Taylor, | 40. Adam Dobbs, |
| 17. Samuel Martin, | 41. Jacob Pessinger, |
| 18. Joseph Conklin, | 42. Matthew Vogel, |
| 19. Joseph Hyde, | 43. Solomon Dean, |
| 20. Jeremiah Tier, | 44. William Appleby, |
| 21. Walter Durbrow, | 45. Nichs. Lawrence, |
| 22. Jno. Valentine, Jr., | 46. Thomas Marshall, |
| 23. Silvanus S. Townsend, | 47. Thomas Place, Jr., |
| 24. John K. Floor, | 48. Blaze Tenbrook, |

"Return of Butchers' standing in Centre Market, April
13, 1818."

JNO. BREMNER,

Deputy Clerk.

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|----------------------|-------------------|
| 1. Asa W. Wesson, | 3. Wm. H. Gross, |
| 2. Joseph Blackwell, | 4. John Hilliker, |

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|----------------------|--------------------|
| 5. Jacob Tier, | 10. William Bowne, |
| 6. William Reeves, | 11. Jas. Simonson, |
| 7. Stephen Hilliker, | 12. Andrew Bazley, |
| 8. John Fash, | 13. William Mook, |
| 9. Thomas Mook, | 14. John Trigler. |
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January 18, 1819.—Finance Committee reported & resolution adopted, to lease at public auction, 9 cellars under Centre Market, for 2 years, with a condition, not to be occupied by a family or fire kept in them.

April 26, 1819.—Market Clerks, returns of names of butchers, and number of stalls they occupy in the several markets, received and filed.

Resolution adopted, that the price for license be reduced to one dollar.

1819, 26 *July.*—It was referred to the Finance Committee, to devise ways and means for paying the amount, at which the ground between Beekman slip and Crane wharf may be valued by the Commissioners.

1819, 6 *Sept.*—There being two small markets at the lower end of Grand street, near the East River, the Market Committee reported that, the old market, near Goerck street, built long before the streets in the vicinity were regulated, occupied a necessary part of the carriage-way, and was useless, while the market erected a few years

since, near the river, would accommodate the neighborhood. It was ordered, that the Street Commissioner cause the old market to be sold and removed.

1820, 2 Octr.—The report of a Special Committee on the matter of taking ground for the site of a public market, at Fulton slip, was called up for discussion.

The report recited the petition of Silvanus Miller, the owner of two lots of Land, situated between Fulton slip and the Crane wharf, being part of the land intended for the Market-place.

The petitioner stated, that the measures which have been taken by the Corporation to obtain possession of the property, have, for a long time past, prevented him from selling or improving it to advantage, by reason of which, he had sustained great loss, and he therefore prayed, that the Corporation would, forthwith, take the premises, at the appraised value, and allow him compensation for damages.

The Committee, after reciting the proceedings taken by the Common Council, from 1815, when the project of a market in that vicinity was first projected, and noticing the fact, that the Board had applied for and obtained two acts of the Legislature for this purpose, and for four years or more, resolved to take the property, and during that period, had prevented or retarded its improvement; considered the Corporation committed to the measure, and were of opinion, that one of two alternatives should be adopted, either to take the land, and afterwards sell it, or

obtain permission of the Legislature to discontinue all proceedings, on making compensation to the proprietors.

The Committee recommended the first, and offered the following resolutions, which were adopted:

Resolved, That the Counsel of the Board take measures to complete the proceedings already commenced, for the purpose of vesting in this Corporation the Title to the lands mentioned in the act, entitled, "an Act, authorizing the Mayor, Aldermen and Commonalty of the City of New York, to take possession of certain lands," passed March 14, 1817.

Resolved, that the Counsel to the Board prepare a petition to the Legislature, praying that a law may be passed authorizing this Corporation to sell and convey the lands mentioned in the aforesaid act.

The Committee were

P. A. JAY,
ROBT. SWARTWOUT,
J. HAMMOND,
THOMAS BOLTON,
GEO. B. THORP.

A resolution was also adopted authorizing the Comptroller, on the confirmation of the Commissioners' report by the Supreme Court, to borrow, on the credit of the Corporation, the amount necessary to pay for the same, and that the money thus borrowed be repaid from the sale of the property.

1820, 4 December.—A communication was received from William Slosson, and the Counsel of the Board, Ogden

Edwards, on the subject of the ground, near Fulton slip, heretofore intended to have been taken for a market, and whether the Board have power to sell the (ground intended for the erection of a market, near Fulton slip,) lands in fee simple, when the title thereto shall have been obtained.

This *opinion*, after mature consideration of the whole subject concluded, "that the Legislature by declaring in express terms the nature of the estate, intended to vest in the Corporation the absolute power of disposing of the property, and that the Corporation, when they shall have acquired the title to the lands, will have the power to sell the same, or any part thereof, as the entire and absolute owners, for any purposes the Common Council may see proper."

A resolution heretofore adopted, directing the Counsel to prepare the draft of a law, authorizing the Board to sell the ground intended for a market, near Fulton slip, was, in consequence of the above opinion, rescinded.

1821, 12 *March*.—Report of the Special Committee on the subject of erecting a market upon the ground belonging to the Corporation, between Fulton street and Crane wharf, was received.

They considered it expedient that a market should be erected upon the above-mentioned premises, and that after it was completed, Fly market should be removed.

Fly market was represented as extremely incommodious, and in the summer season so offensive as to be very prejudicial to health.

Upon the means of paying for the ground, defraying the expenses of erecting the market and for regulating the same when completed, a series of resolutions were offered, embracing in substance that the market should be erected on the grounds as proposed.

That \$15,000 be annually raised for ten years by tax, which, together with the income to be derived from the market should be appropriated to the Sinking Fund, for the extinguishment of the debt so created. That when the market was completed, the stalls for the butchers and stands for the fishermen and country people, sellers of vegetables, fruit, &c., shall be rented at auction, for one or more years, always payable in advance.

That the same regulations should apply to all the markets, and be put in operation, as respects the butchers' stalls in the present markets, on the first of May next, and as soon thereafter as the Market Committee can complete the arrangements as respects the stands for country people, fishermen, &c., provided that the stalls in Fly market should be sold only for the time necessary to complete Fulton market.

That the \$200,000 authorized to be funded by the act of 1820, be in such sums, and payable at such times as required for the object, bearing an interest of not more than five per cent., and redeemable at the pleasure of the Corporation.

That a Committee of five be appointed to procure plans and estimates, and superintend the building of the market, when approbated by the Common Council.

1821, *May* 14.—Market Committee reported, that pursuant to an order of the Board, they had rented the stalls in the ten markets of the city, at rates fixed by the Committee, for one year, excepting Fly market, rented for six months only (as the new market, Fulton, would be completed during the season,) rents paid quarterly in advance.

| | Stalls rented. | Annual rent. |
|-----------------------|----------------|--------------|
| Fly Market..... | 48 | \$2,424 00 |
| Catharine Market..... | 47 | 3,110 00 |
| Washington “ | 54 | 3,010 00 |
| Centre “ | 14 | 485 00 |
| Spring street “ | 10 | 420 00 |
| Essex “ | 7 | 180 00 |
| Grand street “ | 3 .. | 160 00 |
| Duane “ “ | 1 | 50 00 |
| Gouverneur “ | 2 | 20 00 |
| Greenwich “ | 2 | 30 00 |

June 11, 1821.—Counsel of the Board, presented draft of contracts for building Fulton Market, with Gideon Tucker, Thomas J. Woodruff and Philetus H. Woodruff, with corrections; referred to the Building Committee.

August 6.—Mayor presented draft of Law to regulate Fulton Market. Ordered printed for use of members.

October 1.—On report of Market Committee, Resolved, that when Fly Market is removed, a market be built at Old slip, between Water and Front streets, and such part of the materials taken down, as are suitable, to be used in the construction of the same.

December 13, 1821.—Petition of Butchers having stalls in Fly Market, claiming perpetuity in the market, under sale to them in 1796, of 14 stalls therein; asking compensation, and protesting against removing the market.

December 24, 1821.—Market Committee reported, that, in pursuance of terms published, to Lease the stands in Fulton Market at auction, for five years from January first, 1822, (no stand to rent for a less sum than \$100—to be rented only to licensed butchers, the rent payable quarterly in advance, and the lessees to conform to all the market regulations) they had offered the same, and only a very small number were taken.

That the proceedings were riotous, persons were deterred from bidding in apprehension of violence, and it was evident that a combination was formed to obstruct and prevent the renting of the stalls; the Committee, therefore, presented resolutions for the consideration of the Board, which were adopted; that, unless the licensed butchers would bid for the stalls and comply with the regulations of the Common Council, the same should be rented to any and all persons, the highest bidders, whether they were licensed butchers or not.

January 3, 1822.—Sale of Butchers' Stands in Fulton Market, at auction, under the superintendence of the Market Committee.

Rented for five years from 1st January, 1822,—*only to licensed butchers*, rent payable quarterly in advance, no stand to rent less than \$100—and lessees to conform to all the market regulations of the Common Council.

| | | Per Annum. | | | Per Annum. |
|-------------------|------------|------------|--------------------|------------|------------|
| No. 1 | Stand..... | \$455 | Brought forward... | | \$7,805 |
| 2 | " | 400 | No. 33 | Stand..... | 400 |
| 3 | " | 410 | 34 | " | 210 |
| 4 | " | 290 | 35 | " | 265 |
| 5 | " | 275 | 36 | " | 205 |
| 6 | " | 225 | 37 | " | 230 |
| 7 | " | 240 | 38 | " | 205 |
| 8 | " | 205 | 39 | " | 260 |
| 9 | " | 200 | 40 | " | 200 |
| 10 | " | 165 | 41 | " | 220 |
| 11 | " | 200 | 42 | " | 210 |
| 12 | " | 200 | 43 | " | 300 |
| 13 | " | 220 | 44 | " | 325 |
| 14 | " | 205 | 45 | " | 300 |
| 15 | " | 305 | 46 | " | 300 |
| 16 | " | 310 | 47 | " | 250 |
| 18 | " | 300 | 48 | " | 200 |
| 20 | " | 220 | 49 | " | 200 |
| 21 | " | 200 | 50 | " | 200 |
| 22 | " | 175 | 51 | " | 180 |
| 23 | " | 240 | 52 | " | 150 |
| 24 | " | 205 | 53 | " | 150 |
| 25 | " | 340 | 54 | " | 160 |
| 26 | " | 225 | 55 | " | 215 |
| 27 | " | 230 | 56 | " | 150 |
| 28 | " | 260 | 57 | " | 290 |
| 29 | " | 375 | 58 | " | 155 |
| 31 | " | 480 | 59 | " | 320 |
| 32 | " | 250 | 60 | " | 330 |
| Carried forward., | | \$7,805 | Carried forward., | | \$14,385 |

| Per Annum. | | Per Annum. | |
|---------------------------|-----|---------------------------|----------|
| Brought forward..\$14,385 | | Brought forward.\$17,0 65 | |
| No. 61 Stand..... | 230 | No. 78 Stand..... | 115 |
| 62 " | 150 | 79 " | 140 |
| 63 " | 250 | 80 " | 120 |
| 64 " | 145 | 81 " | 130 |
| 65 " | 165 | 82 " | 115 |
| 66 " | 145 | 83 " | 125 |
| 67 " | 140 | 84 " | 115 |
| 68 " | 135 | 85 " | 145 |
| 69 " | 200 | 86 " | 130 |
| 70 " | 135 | 87 " | 235 |
| 72 " | 195 | 88 " | 220 |
| 73 " | 230 | | |
| 74 " | 170 | | \$18,655 |
| 75 " | 135 | Sold on 18th Dec. | |
| 76 " | 120 | No. 19..... | 100 |
| 77 " | 135 | " 30..... | 110 |
| Carried forward..\$17,065 | | | \$18,865 |

1822, 31 *Jany.*—Collector of City revenue, reported the amount of one quarter's rent, received from the ten markets of the City, as follows:

| | |
|----------------------|------------|
| Fly Market..... | \$269 25 |
| Catharine " | 777 50 |
| Spring st. " | 107 50 |
| Washington " | 733 25 |
| Centre " | 121 25 |
| Essex " | 35 00 |
| Grand st. " | 22 50 |
| Carried forward..... | \$2,066 25 |

| | |
|------------------------|------------|
| Brought forward..... | \$2,066 25 |
| Gouverneur Market..... | 5 00 |
| Greenwich, " | 7 50 |
| Duane st. " | 12 50 |
| | <hr/> |
| | \$2,091 25 |
| | <hr/> |

1822, 1 *April*.—Remonstrance received from Butchers' in Fulton Market, against the erection, at the present time, of a Market at the Old Slip; referred to Market Committee.

1822, 22 *April*.—Market Committee, reporting on the necessity of erecting a Market, at Old Slip, the same was adopted.

1822, 29 *April*.—The Mayor laid before the Board, a list of stalls vacated and unpaid, in the Fulton Market; and on the 4th of May following, convened the Board, at the request of the Market Committee, in consequence of the butchers in said market petitioning for reduction of rent.

1822, 10 *June*.—Communication received from the Counsel to the Board, setting forth, that certain butchers had commenced action in the Supreme Court, against the Corporation, for damages, by being deprived of their stalls, on the pulling down of the old Fly Market.

Counsel directed to defend.

Resolution adopted, directing the Market Committee to rent, at auction, the butchers' stalls, in the Old Slip Market, until the 1st of May next.

1822, 24 June.—*Resolved*, That the Market at Old Slip be called, and hereafter known by the name and style of *Franklin Market*.

1822, 8 July.—Sale of Butchers' stands in Franklin Market, rented for 9 months, payable quarterly.

| | |
|---------------------------|------------|
| 8 stands, rented for..... | \$3,090 00 |
| 2 cellars, " | 330 .00 |
| | <hr/> |
| | \$3,420 00 |
| | <hr/> |

1822, 28 Octr. —*Resolved*, That Comptroller receive a surrender of the Leases given to the Butchers for stalls in Fulton Market, without payment of rent;

Also, that the Market Committee dispose of the stalls in Fulton Market, to licensed butchers, at auction, or otherwise, until the first of May next, not however to exceed sixty.

Under the above resolution, 45 stalls were surrendered on the 1st, and 12 stalls on the 11th of November, 1822; being 57 of the stalls that were rented at auction, for five years, on the 3d of January previous.

1823, 27 Octr.—Market Committee reported in favor of purchasing 7 lots of ground, on the north side of Grand

street, between Ludlow and Essex streets, being 175 feet front and rear, and 87 feet deep, for Market-house; land offered for \$8,800. Resolution to carry the same into effect adopted.

From subsequent proceedings, it appears, that a larger Market-place was agreed on, embracing 7 lots in the rear of the land first-named on Grand street; and on the 8th of December following, the Counsel presented to the Board a Deed from Nichs. Gouverneur, of 14 lots of land, for the market site.

1824, 12 *April*.—A petition for a new market at Catharine street being under consideration, the Market Committee reported, that Duncan P. Campbell offered to cede 75 feet of ground, covered with water, fronting on Water street, and extending to South street, for a Market-place.

The market to be erected having a front of 177 feet on Water street, with a wing on Catharine street, extending to South street, 120 feet in length; and a corresponding wing of 123 feet 4 inches in length, on a street to be opened for that purpose, from Cherry street to Water street 50 feet wide.

Committee deemed it inexpedient, and resolution to that effect adopted.

Resolution adopted, that the Superintendent of Repairs, under the direction of the Market Committee, erect a market on the ground lately purchased, fronting on Grand street, in conformity with a plan submitted.

1825, 1 *Augt.*—Resolution adopted, that the lower Market-house, at Catharine slip, be removed, and a new one erected on the present site.

1827, 29 *Jany.*—Report submitted, and resolution adopted, to establish a market at the foot of Canal street, North river.

1 *Feby.*—The Counsel presented a memorial to the Legislature, with draft of a law, to take possession of lands on Canal and Spring streets, for a public market.

26 *March.*—*Resolved*, That the square or bloek of ground, bounded by Goerck, Rivington, Stanton and Mangin streets, belonging to the Corporation, be appropriated for a public Market-place, and that the Market Committee erect thereon a market not to cost over \$2,000.

10 *Sept.*—Market Committee reported the completion of the new market, near the East river, between Rivington and Stanton streets, for the sum of \$1,975, and recommend it be called *Manhattan Market*; also, that they had fixed the annual rent of six stalls therein, and advertised the same for sale at auction, for the highest premium; resolution adopted.

1827, 19 *November.*—Market Committee reported the sale of six stalls in Manhattan market, premiums amount-

ing to \$2,380; also, that they have considered the petition of butchers in Centre market, for relief from the exorbitant value agreed to be paid for stalls, and recommend they have a year more to pay in.

1828, 21 *April*.—Report submitted, with a plan for the erection of the Market-house, at the foot of Canal street, at a cost of \$20,400; and resolution adopted, that Street Commissioner advertise for contracts for building the same, under the direction of the Market Committee.

On the 8th of December following, a resolution was adopted, that the market now building between Canal, Washington and Spring streets, in the Eighth Ward, be called *Clinton Market*.

15 *December*, 1828.—On application for a market, near the intersection of the Bowery and Third avenue; the Market Committee reported that Mr. Hall, offered to sell 8 lots of land, having a front on the Third avenue of 181 feet 8 inches by 100 feet deep along Sixth and Seventh streets, together with a street of 40 feet wide in the rear, with a triangular piece of ground, for \$20,000. Report and resolution adopted, and on the 22d of same month, contract closed for the purchase.

1829, 9 *March*.—*Resolved*, That application be made to the legislature, for an act to authorize the taking possession of land on Third avenue, between Sixth and Seventh streets, for a public market, and to open in the rear a street 50 feet wide.

Rent roll for 1829, accepted and filed.

7 *December*, 1829.—Market Committee reported in favor of a reduction of 25 per cent. from the premium notes of butchers, given for stalls in Clinton market:

| | |
|------------------------------|-------------|
| 24 stalls were sold for..... | \$34,280 00 |
| Reduced | 7,990 00 |
| | <hr/> |
| Leaving due..... | 26,290 00 |

Prices were originally, from \$700 to \$3,000 per stall.

Report and resolution agreeing thereto, adopted.

1830, 19 *April*.—On a report from the Market Committee, a resolution was adopted, that the sale of small meats in the country markets, be restricted to farmers alone.

Also a report against erecting a market in Greenwich lane, as the same would injure Greenwich market, in Christopher street.

27 *December*, 1830.—On the recommendation of the Market Committee, a resolution was adopted, to take down the upper old market, in Catharine street, between Cherry and Water streets, and erect a new one with granite columns, conforming to a plan submitted, at a cost of about \$4,000.

COMPTROLLER'S OFFICE.

Sale of Butcher's Stalls, for Premiums.

1822, November, 12.—Collector of City Revenue, reported sale of 33 butcher's stands in Fulton market.

| | | | | Premiums. |
|-----------|------------------------------------|----------|-----|-------------|
| | Annual rent..... | \$3,655 | 00 | |
| | Amount of premiums..... | \$170 | 00 | |
| Dec. 10. | Sale of 7 stalls in Fulton market. | | | |
| | Annual rent..... | \$795 | 00 | |
| | Amount of premiums..... | 211 | 76 | |
| 1823, | | | | |
| April 25. | Fulton market..... | 3 | | } 1,153 00 |
| " | Washington market..... | 3 | | |
| " | Centre "..... | 1 | | |
| 1824, | | | | |
| April 16. | Fulton "..... | 2 | | } 1,001 12½ |
| " | Catharine "..... | 1 | | |
| " | Spring street "..... | 1 | | |
| " | Centre "..... | 2 | | |
| 1825, | | | | |
| July 8. | Essex "..... | 4 | | 1,895 00 |
| 1826, | | | | |
| Feb'y 6. | Fulton "..... | 1 | | 1,000 00 |
| 1827, | | | | |
| April 19. | Centre "..... | 4 | | 5,076 00 |
| Nov. 17. | Manhattan "..... | 6 | | 2,380 00 |
| 1829, | | | | |
| April 14. | Clinton "..... | 24 | | 25,990 00 |
| " 25. | Essex "..... | 2 | | 600 00 |
| | Carried forward..... | \$39,476 | 88½ | |

| | | | | | Premiums. |
|----------------------|---------------------------|----|-------|---|---------------------|
| Brought forward..... | | | | | \$39,476 88 |
| Aug. 6. | Grand street Market (new) | 10 | | | 100 00 |
| 1830, | | | | | |
| May 4. | Tompkins | " | ..... | 6 | 2,000 00 |
| 1832, | | | | | |
| Feb'y 15. | Centre | " | ..... | 4 | } 8,785 00 |
| " | Essex | " | ..... | 2 | |
| " | Grand street | " | ..... | 1 | |
| " | Tompkins | " | ..... | 2 | } 3,105 00 |
| " | Catharine | " | ..... | 1 | |
| " | Washington | " | ..... | 1 | |
| " | Fulton | " | ..... | 2 | 620 00 |
| | | | | | <hr/> |
| | | | | | \$54,087 12½ |
| Dec. 19. | Jefferson | " | ..... | 6 | 5,600 00 |
| 1834, | | | | | |
| April 15. | Tompkins | " | ..... | 2 | } 1,955 00 |
| " | Jefferson | " | ..... | 2 | |
| " | 29. Clinton | " | ..... | 4 | 11,180 00 |
| Oct. 21. | Greenwich | " | ..... | 4 | 345 00 |
| 1835, | | | | | |
| March 17. | Do | " | ..... | 3 | 210 00 |
| | | | | | <hr/> |
| | | | | | <u>\$73,377 12¼</u> |

STATEMENT No. 2.

AMOUNT OF MARKET PREMIUMS FOR BUTCHERS' STANDS, FROM
THE ACCOUNTS IN THE COMPTROLLER'S OFFICE.

| | |
|--------------------|-------------|
| Fulton Market..... | \$2,221 76 |
| Washington " | 4,224 50 |
| Centre " | 15,029 08 |
| Manhattan " | 3,365 39 |
| Essex " | 4,905 73 |
| Clinton " | 37,104 11 |
| Tompkins " | 4,051 10 |
| Catharine " | 2,039 88 |
| Grand st. " | 105 00 |
| Jefferson " | 6,715 00 |
| Greenwich " | 550 00 |
| | <hr/> |
| | \$80,311 55 |

The Market Committee allowed large deductions, on unpaid *premium notes*, given for purchase; and these bearing interest being collected with the market rents, the exact amount of premium moneys received, is not clearly shown.

PREMIUM BUTCHERS' STANDS IN THE MARKETS OF THE CITY OF
NEW YORK.

Washington Market.

| No. of Stand. | NAMES. | Rent per diem. Cents. | No. of Stand. | NAMES. | Rent per diem. Cents. |
|------------------|----------------------|--------------------------|------------------|---------------------|--------------------------|
| 5. | Jacob Fink..... | 16 | 48. | Stacy Hannel..... | 16 |
| 8. | Lewis B. Green | 16 | 52. | Geo. W. Campbell.. | 16 |
| 21. | Thomas P. Way.... | 28 | 53. | William Carstang.. | 16 |
| 27. | Charles Peters..... | 18 | 54. | George Jacacks.... | 16 |
| 28. | Samuel Holden..... | 25 | 55. | James L. Stewart... | 16 |
| 36. | James Valentine...28 | | 56. | Daniel Burtnett.... | 25 |
| 44. | E. W. Marsh..... | 25 | | | |

Premium { Butchers' Stands—(Continued.)

| Tompkins Market. | | | | | |
|------------------|---------------------|--------------------------|------------------|----------------------|--------------------------|
| No. of Stand. | NAMES. | Rent per diem. Cents. | No. of Stand. | NAMES. | Rent per diem. Cents. |
| 1. | John Flock..... | 12 | 21. | Albert Fisher..... | 17 |
| 2. | Wm. P. Woodcock.. | 12 | 22. | Robert Elder..... | 17 |
| 3. | Samuel Valentine... | 8 | 23. | E. Underhill..... | 17 |
| 4. | Chas. L. Carpenter. | 8 | 24. | Thomas Ecclestop.. | 15 |
| 5. | N. Hicks..... | 8 | 25. | Jacob H. Ridabock.. | 30 |
| 6. | William Corbitt.... | 8 | 26. | Isaac Rhodes, Jr.... | 15 |
| 7. | James Kent..... | 8 | 27. | George Hawes..... | 20 |
| 8. | N. Romaine..... | 8 | 28. | James Tilby..... | 28 |
| 9. | John Perrin..... | 9 | 29. | Charles Cooper.... | 32 |
| 10. | Romeo Thompson... | 8 | 31. | Geo. Montgomery.. | 32 |
| Fulton Market. | | | 32. | T. H. Woodcock.... | 15 |
| 1. | James Johnson.... | 25 | 33. | Samuel S. Hunt.... | 28 |
| 2. | Carlyle Weeks.... | 25 | 34. | William Chivvis... | 15 |
| 3. | Benj. Matthewson.. | 15 | 35. | Thos. M. Jenkins.. | 18 |
| 4. | Denton Pearsall.... | 15 | 36. | Daniel Rhodes.... | 15 |
| 5. | J. Fisher..... | 12½ | 37. | Thomas Rhodes.... | 18 |
| 6. | Zophar Pearsall.... | 12½ | 38. | Thomas Jenkins.... | 15 |
| 8. | Vacant..... | " | 39. | George Castell.... | 18 |
| 11. | Abm. Valentine.... | 12½ | 40. | John Post..... | 15 |
| 12. | E. B. Messerve.... | 12 | 41. | Joseph Flynn..... | 18 |
| 13. | Lanning Ferris.... | 12½ | 42. | Robert Sharp..... | 15 |
| 14. | Vacant..... | " | 43. | Benj. F. Weeks.... | 32 |
| 15. | Lanning Ferris.... | 28 | 44. | J. A. Stambler.... | 32 |
| 16. | Henry Smith..... | 28 | 45. | Chs. & Corn's Kent. | 32 |
| 18. | Charles Gwyer.... | 28 | 46. | P. Valentine..... | 32 |
| 19. | Andrew C. Wheeler. | 28 | 48. | P. Valentine..... | 12½ |
| 20. | Francis Godine.... | 15 | 57. | Stephen Williams... | 20 |
| | | | 59. | William H. Cornell. | 25 |

Premium Butchers Stands—(Continued.)

| Franklin Market. | | | No. of | NAMES. | Rent per diem. |
|------------------|----------------------|----------------|--------|---------------------|----------------|
| No. of | NAMES. | Rent per diem. | Stand. | | Cents. |
| Stand. | | Cents. | | | |
| 1. | George Senior..... | 25 | 17. | Isaac Valentine.... | 12 |
| | Catharine Market. | | 18. | Samuel Long..... | 12½ |
| 6. | G. W. & J. Martine.. | 16 | 19. | William Valteau.... | 12½ |
| 7. | William D. Floor... | 16 | 20. | Vacant..... | 12½ |
| 21. | Vacant..... | 12½ | 21. | " | 12½ |
| 27. | James Goodman.... | 20 | 22. | James Reeves..... | 12½ |
| 28. | R. Platt..... | 20 | 23. | Barnard Rice..... | 20 |
| | Jefferson Market. | | 24. | Vacant..... | 20 |
| 1. | Daniel I. Hyde.... | 18 | 25. | Arnest Fink..... | 20 |
| 5. | Samuel Simms..... | 10 | 26. | Vacant..... | 12½ |
| 6. | John Deveau..... | 10 | 27. | " | 12½ |
| | Monroe Market. | | 28. | John Denyse..... | 12½ |
| 1. | Benjamin Ward.... | 10 | 29. | Vacant..... | 12½ |
| 2. | Thomas Winship... | 10 | 30. | Henry Keyser..... | 12½ |
| 3. | John Pendergrass.. | 8 | 31. | James Odell..... | 12½ |
| 4. | George Cummings.. | 8 | 32. | James Hawkins.... | 12½ |
| 5. | Philip Weeks..... | 8 | 33. | Charles Reeves.... | 12½ |
| | Clinton Market. | | 34. | John Reeves..... | 12½ |
| 1. | Thos. E. Broadway. | 20 | 35. | A. Odell..... | 12 |
| 2. | Jacob R. Reed..... | 20 | 36. | Vacant..... | 12½ |
| 3. | Vacant..... | 14 | 37. | Lawrence Martin... | 20 |
| 4. | H. M. Valentine... | 14 | 38. | William E. Hyatt... | 20 |
| 15. | Samuel Patterson... | 12 | | Greenwich Market. | |
| 16. | Charles Lozier..... | 12 | 1. | William Forner.... | 20 |
| | | | 2. | William Forner.... | 20 |

STATEMENT No. 3.

EXTRACTS FROM MINUTES OF MARKET COMMITTEE MEETINGS.

14 *July*, 1831.—In relation to stall No. 16, Essex Market, claimed as a "family stall," on hearing the parties, the occupant testified, that he had stood therein for six years, and during that time, paid the claimant three shillings per day, in addition to furnishing him with meat from the stall. The Collector of the City Revenue says, the rent of the stall was paid by the claimant.

On application for transfer of stall No. 27, Washington Market, vacated by the death of petitioner's brother, leaving no family,

Mr. Smith, Collector of City Revenue, considered the stall as belonging to the Corporation, by decease of the incumbent, and the Committee unanimously denied the application, deeming the property vested in the Board.

1 *Sept.* 1831.—Collector of City Revenue informed the Committee, that the Butchers of Clinton Market have not paid any thing on the premium notes given for stalls.

Ordered, that Collector demand 20 per cent. of said notes, and if not complied with, they be referred to the Counsel of the Board.

Novr. 1831.—Ordinance published, establishing a joint Market Committee of the Common Council, for all legal purposes.

1 Decr. 1831.—Collector of City Revenue, reported condition of premium notes of Clinton Market Butchers; part declined paying, some paid in full, and others renewed their notes. Those declining, to be handed over to the Counsel for prosecution.

29 Decr. 1831.—*Resolved*, That 4 new stalls be erected in Centre Market, and 2 in Tompkins Market.

12 Jany. 1832.—*Resolved*, That 4 stalls in Centre Market, 2 in Essex, 2 in Tompkins and 1 in Fulton, Washington and Catharine Markets, be sold for premiums, at auction, for cash, under the direction of the Comptroller and Collector of City Revenue. The Committee to be the sole judge, as to the qualification of bidders at the sale.

9 Feb'y. 1832.—On the petition of Butchers of Manhattan Market, for relief;

Resolved, That the Rent of stalls be remitted to May 1st, 1832.

23 Feb'y. 1832.—Wm. S. Smith, Collector of City Revenue, returned sale of the stalls; filed.

17 May, 1832.—Organization of Joint Market Committee; Alderman Cebra appointed Chairman for ensuing year, and D. D. Williamson, Clerk.

29 Novr. 1832.—*Resolved*, That new Market in Sixth avenue be called *Jefferson Market*; six stalls to be sold at auction, on 14th Decr. next, at premiums, for cash. The rent of 2 stalls fixed at \$75 each, 2 at \$50 each. and 2 at \$40 each, per annum, to commence Feby. 1st.

15 Jan. 1833.—Mr. Labagh reports, that Jefferson Market was opened on Saturday morning last. Ordered, that Committee report sale of stalls to Common Council.

21 Feb. 1833.—Collector of City Revenue to sell stalls Nos. 17 & 40, Catharine Market; Nos. 16, 53 & 54 Washington Market, & No. 12 Centre Market, at auction, for premiums, possession to be given on 1st May next.

23 May, 1833.—Organization of Joint Market Committee; Alderman Dunshee appointed Chairman, for ensuing year, and D. D. Williamson, Clerk.

31 Oct. 1833.—Adopted as a standing rule, that all stalls which are not premium stalls, for which petitions are presented for transfer, will be refused, except for the balance of the year, when the stalls will revert to the Corporation.

30 Jan. 1834.—Rent-roll of the Markets approved, and Collector of City Revenue to Let for ensuing year, accordingly.

1 May, 1834.—Collector of City Revenue reported sale of stalls in Clinton Market, for cash premiums, viz:

| | Premium. | Rent. |
|---------------------------|-----------------|--------------|
| No. 1. Wm. Anderson..... | \$4,200 | \$100 |
| " 2. Walter Anderson..... | 3,600 | 100 |
| " 3. Arnest Fink, Jr..... | 2,000 | 60 |
| " 4. Wm. Lawrence..... | 1,380 | 60 |
| | <u>\$11,180</u> | <u>\$320</u> |

29 May, 1834.—Organization of Joint Market Committee; Alderman Labagh appointed Chairman for ensuing year, and D. D. Williamson, Clerk.

2 Oct. 1834.—*Resolved*, That 14 stalls, in the extension of Greenwich Market, be sold at auction, on the 21st inst., for premiums, cash. Market to be opened Nov. 1st.

21 Oct. 1834.—Contract given out, for building an extension of Clinton Market for \$4,455. Sale of four stalls in new Market, Wehawken street, reported.

6 March, 1835.—*Resolved*, That four stalls in Centre Market, be sold at auction, the 17th instant, for premiums; rent of each fixed at \$50.

19 March, 1835.—Report of an Injunction from the Vice Chancellor, restraining Comptroller from selling above stalls, and Counsel ordered to answer the bill.

17 *April*, 1835.—Four stalls ordered sold for premium, at auction, in Clinton Market, the 29th instant; rent of 2 fixed at \$100 each, and 2 at \$60 each.

28 *May*, 1835.—Organization of Joint Market Committee; Alderman Labagh, appointed Chairman for ensuing year, and D. D. Williamson, Clerk.

16 *June*, 1835.—A delegation of regular Butchers attended the meeting of the Committee, by invitation, and it was mutually agreed, that the licensed butchers should appoint an Executive Committee, who should meet with and consult with this Committee, on all important subjects relating to markets, which may be referred to them, by petition, or otherwise.

23 *July*, 1825.—Messrs. Burtnett, Wheeler and Pessinger, the Executive Committee, on behalf of the Butchers, were introduced, and attended the meetings of the Committee.

Communication from Mr. Emmet, Counsel to the Board, in relation to settlement of the Chancery suit, between the Centre Market Butchers and the Corporation. Committee agree to the report of the Counsel, and direct him to settle the same, according to the terms proposed by the Counsel for the Butchers.

8 Oct. 1835.—Six stalls drawn for in the Union Market; rent previously fixed; seventy-nine Butchers put in for a chance.

19 Nov. 1835.—Allowing "*Permit Butchers*" to sell meat by the quarter, in the several markets.

Market Clerk authorized to collect a fee:

| | s. | d. | |
|------------------------|----|----|-----------|
| For Sheep & Lambs..... | 0 | 6 | per head. |
| " Calves & Hogs..... | 0 | 9 | " |
| " Cattle..... | 2 | 0 | " |

Six were named for Centre Market.

Seven " " Washington "

Four " " Fulton "

One " " Clinton "

17 March, 1836.—Market rents reduced; all Butchers to be notified, that licenses must be renewed before the 15th of April next, and all rents paid prior to renewal.

5 May, 1836.—Sixteen stalls drawn for in Fulton Market.

7 July, 1836.—Organization of Joint Market Committee; Alderman Tallmadge appointed Chairman for ensuing year; D. T. Valentine, Clerk.

21 July, 1836.—*Resolved*, That the Clerk give notice to the Executive Committee of Butchers, requesting their action as formerly, in connexion with the Market Committee.

Resolved, That the butchers in Union market have their rent remitted, from the first of May last, to the first of August ensuing.

22 Sept., 1836.—On the subject of the resolution referred to the Committee, relative to paying an individual for complaining of, and fining the "Shark or Shop Butchers;"—It was resolved, that the Market Committee employ a person or persons to ascertain all Shark or Shop Butchers, selling meat out of a public market, and complain of all infringements of the market laws, in order to ensure the penalty, and in each case, when successful, to receive half the fines so recovered.

26 Jan., 1837.—*Resolved*, that the stands in Essex market, 44 in number, be let to the butchers.

Resolved, That the butchers in the late Essex market, appoint a Committee to select their stands in the new market, and report the same to this Committee.

28 Jan., 1837.—The rent of the various stands in the new Essex market, were fixed as follows:

| | |
|----------------------|-------------|
| 10 at a rent of..... | \$100 each. |
| 8 " | 80 " |
| 8 " | 60 " |
| 10 " | 50 " |
| 10 " | 40 " |

2 Feby., 1837.—26 vacant stalls in Essex market, were drawn for by ballot. 10 do. in Clinton market, and rent fixed.

23 Feby., 1837.—*Resolved*, that one quarter's rent, in addition to one heretofore allowed, be remitted to the butchers in Franklin market.

10 March, 1887.—Eight vacant stands in Jefferson market, were drawn for.

The Committee took up for consideration the subject of Catharine market, and were addressed at great length by Silvanus Miller, Esq., who advocated the location of the market, at Pike slip, and strongly deprecated the enlargement of the market on its present site--he was replied to by Eldad Holmes, Esq., who enforced the claims of the inhabitants of that section of the city, to larger and more commodious market accommodations; after deliberation, the Committee agreed to report in favor of taking ground, from Water to Front street, East of Catharine street.

17 May, 1838.—Organization of Joint Market Committee, Alderman Jeremiah appointed Chairman for ensuing year, and D. T. Valentine, Clerk.

Executive Committee of Butchers continued, and met with the Market Committee during the year.

30 *May*, 1839.—Organization of Joint Market Committee; Alderman Nash appointed Chairman for ensuing year, and D. T. Valentine, Clerk.

The Executive Committee of Butchers, requested to continue as heretofore.

Resolved, That the Comptroller report to the Market Committee, the amount paid for the erection of markets, the amount received by the city authorities for premium stalls, and the rents received for all stalls in the several markets, number of stands, &c., and the value of property used for the same.

18 *July*, 1839.—Comptroller furnished the report and laid on the table.

15 *Nov.*, 1839.—A representation of the butchers in the City of New York, appeared before the Committee, and strongly urged the most energetic measures be pursued by the Common Council, to preserve their rights from being invaded by "Shop Butchers."

20 *Nov.*, 1839.—*Resolved*, That the Committee will sustain the regular butchers against the infringement of the market laws, by the "Shop Butchers," and that the Committee will report to the Board to that effect, and in favor of enforcing the existing laws on that subject.

21 *May*, 1840.—Organization of Joint Market Committee; Alderman Nash appointed Chairman for ensuing year, and D. T. Valentine, Clerk.

12 *Nov.*, 1840.—Upon a request to arrange for an appeal, in one of the judgments obtained by the Corporation against the "Shop Butchers," it was resolved, that the Corporation Attorney exercise his own discretion as to the cases, and that no member of this Committee will in future interfere in the matter

15 *Oct.*, 1841.—Resolution adopted, that the butchers in the several markets, on paying their rent in full up to May 1, 1841, and paying it before the 1st of February, 1842, shall have their stalls for one year, free of rent.

24 *Nov.*, 1841.—*Resolved*, That the Committee recommend to the Common Council to request his Honor the Mayor to detail twelve marshals, to detect and bring to conviction all persons engaged in violation of the market laws, by selling meat in other places than the public markets.

18 *Feby.*, 1842.—*Resolved*, That from and after the 1st of March next, the butchers in all the public markets, pay the rent of their stalls daily to the clerks of the markets. The same to be paid over to the Comptroller, on Monday of each week. Any butcher neglecting or refusing to pay, in accordance with this resolution, his stand to be declared vacant. The ordinance for the above, to be submitted to the next meeting of the Board.

14 *July*, 1842.—Organization of Joint Market Committee, Alderman Jones appointed Chairman, and D. T. Valentine, Clerk.

7 *Oct.*, 1842.—The Chairman presented an ordinance to license "Shop Butchers," under certain provisions. License fixed at \$25, the same to be submitted to the Board at the next meeting.

17 *Nov.*, 1842.—A communication was received from a Committee of the Butchers, in relation to the alteration of the market laws. The meeting they represented was held by some 75 to 100 butchers, a portion of the meeting were in favor of the proposed amendments, with the exception of granting licenses for the sale of meat, otherwise than in and around the markets, and were opposed to the resolutions that the stalls be returned to the Corporation, upon paying back the amount originally paid for the same.

27 *Jan'y.*, 1843.—The following notice ordered to be published in the papers employed by the Corporation.

CORPORATION NOTICE.

All persons selling fresh meat in places other than the public markets, are hereby directed to present their application in writing, to the Market Committee, on or before the 10th day of February next, that they may be licensed therefor, or they will be subjected to a legal prosecution, for the penalty of fifty dollars, imposed by the Corporation ordinance, for the offence of selling or exposing for sale any fresh meat of any description, in any street or place in this city, other than in the markets.

STATEMENT No. 4.

The following Statement will show the gross Receipts and Expenditures of the several Markets, and the estimated Annual cost to the City, over and above Receipts, viz:

| NAME. | EXPENSE. | RECEIPTS. | LOSS. |
|--|-------------|-------------|-------------|
| Centre..... | \$ 9,247 88 | \$ 4,825 22 | \$ 4,422 66 |
| Clinton..... | 9,462 00 | 2,628 59 | 6,833 41 |
| Essex..... | 6,918 88 | 1,489 68 | 5,429 20 |
| Fulton..... | 18,659 56 | 17,696 49 | 963 07 |
| Jefferson..... | 5,409 58 | 1,125 44 | 3,984 14 |
| Tompkins..... | 4,222 92 | 1,071 49 | 3,151 43 |
| Union..... | 1,754 88 | 608 57 | 1,146 31 |
| Gouverneur..... | 516 00 | 319 95 | 196 05 |
| Catharine..... | 5,218 15 | 3,952 65 | 1,265 50 |
| Franklin..... | 4,066 00 | 1,803 73 | 2,262 27 |
| Washington, gain | \$65,475 85 | \$35,821 81 | \$29,654 04 |
| | 21,559 87 | 25,027 55 | 3,467 68 |
| | | | \$26,186 36 |
| Estimated expense of the annual repairs to the several markets, together with the taxes that the city would receive, if the market grounds were owned and improved by individuals..... | | | \$23,833 64 |
| Total deficiency..... | | | \$50,020 00 |





STATEMENT NO. 5.

RECEIPTS FROM THE SEVERAL MARKETS OF THE CITY OF NEW YORK, FROM 1844 TO 1853, INCLUSIVE.

| MARKET FEES. | 1844. | 1845. | 1846. | 1847. | 1848. | 1849. | 1850. | 1851. | 1852. | 1853. |
|-----------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Catharine..... | 1,238 26 | 1,897 90 | 1,956 67 | 2,183 75 | 2,226 27 | 1,924 24 | 2,880 04 | 2,866 77 | 2,783 33 | 2,011 20 |
| Centre..... | 1,660 70 | 2,134 28 | 2,281 76 | 2,448 82 | 2,456 54 | 2,369 21 | 2,895 09 | 2,972 69 | 3,238 45 | 3,386 14 |
| Clinton..... | 858 63 | 1,147 29 | 1,151 72 | 1,632 07 | 1,712 61 | 1,875 25 | 3,399 52 | 4,861 82 | 4,191 57 | 4,173 34 |
| Essex..... | 474 72 | 700 44 | 708 86 | 688 10 | 692 28 | 687 98 | 1,044 12 | 1,231 10 | 1,166 76 | 1,161 36 |
| Franklin..... | 233 28 | 385 39 | 316 74 | 290 37 | 321 20 | 279 75 | 303 75 | 273 75 | 288 58 | 288 25 |
| Fulton..... | 4,698 19 | 6,129 78 | 5,533 82 | 6,024 85 | 6,748 41 | 5,288 80 | 8,599 41 | 8,298 26 | 12,001 91 | 12,375 06 |
| Gouverneur..... | | | | | | | 78 73 | 81 93 | 88 06 | 81 18 |
| Jefferson..... | 325 98 | 578 92 | 703 93 | 759 88 | 829 50 | 857 33 | 985 00 | 1,130 22 | 1,410 50 | 1,426 92 |
| Tompkins..... | 317 66 | 469 15 | 426 98 | 453 54 | 626 21 | 707 29 | 921 00 | 971 22 | 709 85 | 690 09 |
| Union..... | 183 67 | 231 51 | 264 28 | 301 96 | 350 35 | 283 76 | 318 84 | 417 50 | 576 57 | 658 75 |
| Washington..... | 9,851 33 | 14,255 47 | 16,004 77 | 18,359 02 | 20,456 62 | 21,563 68 | 29,131 13 | 29,280 87 | 31,679 44 | 30,956 69 |
| Monroe and Gouverneur | 171 66 | 322 63 | 292 01 | 293 07 | 212 75 | 79 07 | | | | |
| Totals..... | \$20,014 08 | \$28,252 76 | \$29,641 04 | \$33,429 93 | \$36,632 74 | \$35,847 36 | \$50,056 68 | \$51,880 63 | \$58,144 02 | \$57,209 98 |
| BUTCHER STANDS. | | | | | | | | | | |
| Catharine..... | 1,040 08 | 1,552 26 | 1,596 06 | 1,667 54 | 1,726 38 | 1,786 98 | 1,770 60 | 1,789 32 | 1,710 36 | 1,580 04 |
| Centre..... | 988 18 | 1,462 87 | 1,426 62 | 1,528 18 | 1,511 18 | 1,658 06 | 1,675 68 | 1,700 88 | 1,749 00 | 1,683 00 |
| Clinton..... | 476 56 | 862 17 | 741 61 | 897 11 | 915 98 | 1,221 91 | 1,602 36 | 1,658 16 | 1,600 78 | 1,664 56 |
| Essex..... | 498 63 | 697 28 | 660 45 | 735 45 | 797 40 | 857 66 | 910 76 | 1,068 32 | 1,075 56 | 1,098 78 |
| Franklin..... | 217 80 | 359 72 | 363 97 | 333 64 | 354 40 | 352 20 | 299 52 | 279 34 | 254 65 | 298 10 |
| Fulton..... | 2,301 75 | 3,636 74 | 3,591 11 | 3,616 21 | 3,481 08 | 3,317 45 | 3,358 42 | 3,240 42 | 3,571 42 | 3,628 17 |
| Gouverneur..... | | | | | | | 82 68 | 85 80 | 76 38 | 84 06 |
| Jefferson..... | 309 40 | 584 76 | 584 54 | 567 82 | 595 94 | 579 20 | 611 76 | 587 82 | 667 56 | 661 44 |
| Tompkins..... | 282 80 | 449 28 | 449 18 | 449 28 | 449 28 | 453 66 | 449 28 | 457 92 | 441 84 | 449 28 |
| Union..... | 216 23 | 286 39 | 167 79 | 202 17 | 258 22 | 230 61 | 191 00 | 187 60 | 217 64 | 312 00 |
| Washington..... | 2,116 76 | 3,325 74 | 3,329 52 | 3,267 32 | 3,260 53 | 3,187 71 | 3,431 33 | 3,268 70 | 3,399 42 | 3,335 28 |
| Monroe and Gouverneur | 109 20 | 230 10 | 210 12 | 218 40 | 139 20 | 80 46 | | | | |
| Totals..... | \$8,552 39 | \$13,447 25 | \$13,120 97 | \$13,483 12 | \$13,489 59 | \$13,725 86 | \$14,338 39 | \$14,324 28 | \$14,764 61 | \$14,734 79 |

Receipts from Market Cellars from the Year 1844 to 1853, Inclusive.

| MARKET. | 1844. | 1845. | 1846. | 1847. | 1848. | 1849. | 1850. | 1851. | 1852. | 1853. |
|-----------------|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Washington..... | 788 50 | 1,310 50 | 1,335 50 | 1,323 00 | 13,10 50 | 1,278 00 | 1,656 75 | 1,405 75 | 1,644 87 | 1,488 50 |
| Fulton..... | 4,286 50 | 7,162 50 | 7,166 06 | 7,016 00 | 7,467 00 | 7,005 00 | 7,292 21 | 10,227 52 | 7,935 08 | 7,391 00 |
| Centre..... | 332 50 | 840 83 | 692 50 | 690 00 | 777 50 | 817 50 | 950 00 | 732 50 | 1,252 50 | 1,115 00 |
| Franklin..... | 825 00 | 1,312 50 | 1,350 06 | 1,350 00 | 1,128 13 | 1,475 00 | 1,537 50 | 1,534 37 | 1,662 50 | 1,462 50 |
| Essex..... | 6 25 | 31 25 | 6 25 | | | | | | | 849 18 |
| Harlem..... | | | | 112 50 | 75 00 | 87 50 | | | | |
| Totals..... | \$6,238 75 | \$10,657 56 | \$10,550 25 | \$10,491 50 | \$10,758 13 | \$10,613 00 | \$11,436 46 | \$13,900 14 | \$12,594 95 | \$12,306 13 |

STATEMENT No. 6.

VALUE OF MARKET PROPERTY.

| | Value of lands. | u' | Total. |
|------------------|-----------------|--------------|----------------|
| Catharine Market | \$45,000 00 | \$5,000 00 | \$50,000 00 |
| Centre " | 60,000 00 | 40,00 00 | 100,000 00 |
| Clinton " | 75,000 00 | 5,000 00 | 80,000 00 |
| Essex " | 75,000 00 | 25,000 00 | 100,000 00 |
| Franklin " | 40,000 00 | 8,000 00 | 48,000 00 |
| Fulton " | 210,000 00 | 10,000 00 | 220,000 00 |
| Gouverneur " | no fee. | 8,000 00 | 8,000 00 |
| Jefferson " | 60,000 00 | 5,000 00 | 65,000 00 |
| Tompkins " | 48,000 00 | 2,000 00 | 50,000 00 |
| Union " | 12,000 00 | 3,000 00 | 15,000 00 |
| Washington " | 300,000 00 | 5,000 00 | 305,000 00 |
| | \$925,000 00 | \$116,000 00 | \$1,041,000 00 |

STATEMENT No. 7.

MARKET RECEIPTS FOR 1853.

| Name of Market. | Fees. | Butcher stands | Cellars. | Total. |
|-----------------|-------------|----------------|-------------|-------------|
| Catharine... | \$2,011 20 | \$1,580 04 | .. .. | \$3,591 24 |
| Centre..... | 3,386 14 | 1,683 00 | 1,115 00 | 6,184 14 |
| Clinton.... | 4,173 34 | 1,664 56 | .. .. | 5,837 90 |
| Esex..... | 1,161 36 | 1,038 78 | 849 18 | 3,049 32 |
| Franklin... | 288 25 | 298 10 | 1,462 50 | 2,048 85 |
| Fulton..... | 12,375 06 | 3,628 17 | 7,391 00 | 23,394 23 |
| Gouverneur | 81 18 | 84 06 | .. .. | 165 24 |
| Jefferson... | 1,426 92 | 661 44 | .. .. | 2,088 36 |
| Tompkins... | 690 09 | 449 28 | .. .. | 1,139 37 |
| Union..... | 658 95 | 312 00 | .. .. | 970 95 |
| Washington | 30,956 69 | 3,335 28 | 1,488 50 | 35,780 47 |
| | \$57,209 98 | \$14,734 79 | \$12,306 18 | \$84,250 95 |

MARKET EXPENSES FOR 1853.

| | | |
|---|------------|--------------------|
| Clerks' salaries..... | \$7,819 76 | |
| Cleaning markets..... | 7,600 00 | |
| Repairs, about..... | 16,000 00 | |
| Lamps and Gas..... | 7,397 97 | |
| Lamplighters..... | 5,200 00 | \$44,017 73 |
| Interest on market property, valued \$1,041,000..... | | 72,870 00 |
| | | \$116,887 73 |
| Deduct market receipts..... | | 84,250 95 |
| Deficiency..... | | <u>\$32,636 78</u> |



DOCUMENT No. 42.

BOARD OF ALDERMEN,

MAY, 19, 1854.

The following communication from the Comptroller, and the lists annexed, in relation to the accounts of George G. Campbell, late Deputy Collector of Assessments, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Finance Committee of the Board of Aldermen, to whom was referred the annexed communication from the Comptroller, in relation to the account of George G. Campbell, former Deputy Collector of Assessments, respectfully

REPORT:

That they have examined into the same, and find that, from 1847 to 1850, a large amount of assessments against the property of different individuals was placed in the hands of the said Campbell for collection, and he has neglected to settle up his account; that the Comptroller has called on him to settle the same, or to make explanations, which he has not heeded.

Your Committee recommend that the suggestions of the Comptroller be carried out, and that an extra number of copies of his communication, and the lists annexed, be printed, to be sent to each person assessed, and submit the following resolution for adoption:

Resolved, That three hundred extra copies of the Comptroller's communication, and the lists annexed, in relation to the accounts of George G. Campbell, be, and the same are hereby directed to be printed.

WM. CHAUNCEY, } Committee
THOS. CHRISTY, } on
ANSON HERRICK, } Finance.

DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, }
City of New York, May 12, 1854. }

To the Honorable the Common Council:

GENTLEMEN:—There has been returned to the Clerk of Arrears, from the office of the Street Commissioner, a list of uncollected assessments, made in that Department, against sundry persons, from 1847 to 1850, amounting to nine thousand five hundred and eighty-three dollars and forty-two cents. These assessments were placed in the hands of George G. Campbell for collection; and it appears that it has been known in the Street Department for a long time that Mr. Campbell had collected money from the persons assessed, which he had not paid over; but the precise amount thus collected and withheld from the treasury has not been ascertained.

This matter was first brought to the knowledge of the present Comptroller, in consequence of an application to the Clerk of Arrears for a search in regard to several lots of land on which liens were found, to the total amount of two thousand six hundred and ten dollars and twenty-six cents, the owner claiming that he had paid the assessments on them, and proving the fact by producing the receipts of George G. Campbell for the whole amount. A copy of a receipt is annexed, marked No. 1, and dated March, 1853.

On the 23d March last, the Comptroller addressed a letter to Mr. Campbell, a copy of which is annexed, and marked No. 2. This sets forth the fact so fully that reference is made to it, instead of repeating them in this report.

A list of the names of the several persons assessed has been prepared, and is annexed, marked No. 3, showing the location of the property affected, and the amount of the assessment in arrear on each lot.

The number of parcels included in this delinquent list is two hundred and sixty-four, and it is respectfully suggested that an extra number of copies be printed for this Department, to be sent to each person assessed, in order that an opportunity may be afforded to the persons whose money has been taken by the collector, and not returned and credited to the lots assessed, to bring in their receipts and relieve their lands from the lien for which they are thus wrongfully held. This is the more imperative on the public authorities, from the fact that, so long as Mr. Campbell refuses to come forward and protect the inno-

cent parties who have paid their assessments, and trusted to his faithfulness, there is no means of ascertaining who is entitled to a credit unless the receipts are produced.

These parties are constantly exposed to losses of this evidence of payment, by fire or other accidents, when they would be remediless; and, after having paid one-half of the assessed value of the property by an assessment, they might lose the whole by the infidelity of a city agent.

Respectfully submitted,

A. C. FLAGG, *Comptroller.*

(No. 1.)

\$2,225 49
384 77

C. VANDERBILT.

\$2,610 26

The assessment for regulating Twentieth street, between First avenue and East river, map Nos. 31, 32, 33, 34, 35, 36, 37, 38 and 44, was confirmed on the 11th day of September, 1850, by which your property is charged in the sum of \$ Payment thereof is expected to be made without delay, as it has been due from the day of confirmation.

Payment will be received (in money current at the several banks in this city) at the Collector's office, No. 2 New City Hall, from 10 to 1 o'clock. Please bring this notice with you.

GEORGE G. CAMPBELL, *Collector.*

COLLECTOR'S OFFICE, }
New York, March, 1853. }

RECEIVED, New York, March 2d, 1853, the above stated amount of twenty-six hundred and ten dollars and twenty-six cents, from Campbell & Moody.

Signed,

GEO. G. CAMPBELL, *Collector*.

\$2,610 26.

(No. 2.)

DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, }
New York, March 23, 1853. }

DEAR SIR:—Your attention has already been called to the condition of your accounts as Collector of Assessments. To my letter on this subject you made no reply. I then wrote to Mr. Wild, your bail, and he informed me you would call and explain, or arrange the matter on the following Saturday. You did not come, and illness in your family was stated as an apology.

The Street Department has furnished me with a list of two hundred and sixty-four parcels given to you for collection, and for which the pay has not been returned and credited to the several persons assessed. The total of these parcels amounts to the sum of nine thousand four hundred and sixty-five dollars and ninety-six cents.

These assessments go back to September, 1847. How many of these parcels have been paid to you, we have no means of ascertaining without getting the information from you; and you, who, so far as payments have been

made to you, are responsible for placing the lots of these persons in peril, seem indifferent to the wrong which you are doing them.

These assessments ought to have been closed up long ago, and the Street Department is censurable for its neglect. The matter is now in my hands, and I shall also expose myself to censure, if the delay is continued. Justice to those who have paid their assessment demands immediate action in the matter. Here are hundreds of persons, whose interests are to be sacrificed by an indulgence to you, who will not even take the time to settle the account and enable us to credit the lots of those who have paid their assessments, and to charge the amount over to you. The wrong done to the city by your unfaithfulness to a public trust is comparatively of little importance, when contrasted with the injustice done to these innocent parties by your inattention to their just demands on you. To say that you will pay, or that your bail is good, does not reach the difficulty. It is those who have paid their assessments who require protection by a prompt adjustment of their accounts on the assessment roll. As the only means left to effect this object, I shall have a list made which will be published, and those persons will be called on to produce their receipts, so far as they have them.

Respectfully yours,

A. C. FLAGG.

GEO. G. CAMPBELL, Esq.

No. 3.

ASSESSMENTS IN ARREAR ON THE LISTS GIVEN TO GEORGE G. CAMPBELL.

| Confirmed. | To whom Assessed. | Side. | Location of Property Affected. | | Amount. |
|----------------------|-----------------------------|-------|--------------------------------|-------------------------|-----------|
| 1847: | | | | | |
| Sept. 21 | Roberts & Leach..... | North | 8th street | Between, Avenue B and C | 10 35 |
| Oct. 5 | David Seaman | South | 33d " | " 6 and 7 | 20 00 |
| " 5 | Richard Mortimer..... | " | 33d " | " 5 and 6 | 48 25 |
| Dec. 24 | Estate of Fred. Shonnard.. | West | Fulton " | Nassau and Dutch... | 117 86 |
| " 24 | Wm. H. Degroot..... | " | " " | William and Gold.... | 23 29 |
| " 24 | Estate of Wm. Post | E.&W. | " " | Ryder's Alley & Cliff | 400 02 |
| 1848: | | | | | |
| Mar. 21 | Paschal W. Turney | South | 24th " | Avenues 2d and 3d... | 73 07 |
| " 21 | Daniel Ketcham | West | 2d avenue | 24th and 25th streets. | 2 00 |
| " 21 | R. J. Whitemore | South | 25th street. | Avenues 2d and 3d... | 2 00 |
| May 2 | C. V. S. Kane | " | 13th " | " A and B.... | 29 71 |
| " 2 | Heirs of Jonathan Hunt... | East | Avenue A. | 12th and 13th streets. | 87 19 |
| " 5 | Jane Graham | " | " 2d. | 29th and 30th " | 81 94 |
| " 5 | A. H. Carroll..... | " | " 2d. | 40th and 41st " | 63 27 |
| " 5 | John Kipp..... | South | 35th street | 1st and 2d avenues... | 4 30 |
| " 5 | Farmers' Loan and Trust Co. | " | 36th " | " " " | 8 62 |
| " 5 | James Chesterman..... | North | 38th " | " " " | 4 25 |
| Carried forward..... | | | | | \$ 976 12 |

| Confirmed. | To whom Assessed. | Location of Property Affected. | | Amount. |
|------------|------------------------------|--------------------------------|------------------------|----------|
| | | Brought forward..... | | \$976 12 |
| 1848: | | Side. | Between, | |
| May | 5 John Ennis..... | South | 1st and 2d avenues... | 4 25 |
| " | 5 Elizabeth Kipp | " | " " | 4 00 |
| " | 8 Mary Murray | North | Lexington and 4th. . | 35 00 |
| Sept. 14 | Heirs of M. D. L. Ronalds. | West | Pell & Bayard streets | 14 78 |
| Nov. 15 | John Githers | South | 7th and 8th avenues.. | 52 53 |
| 1849: | | | | |
| Mar. | — Woodward | East | 29th and 30th streets. | 18 04 |
| " | 9 John Dunkin | West | 30th and 31st " | 16 50 |
| " | 9 Fred. A. Coe | East | 33d and 34th " | 10 93 |
| " | 9 R. Watts and Corporation. | South | 8th and 9th avenues . | 15 79 |
| " | 9 H. Wilkes | " | " " | 15 79 |
| June 29 | W. M. Heyward | " | Lexington and 4th av. | 34 40 |
| July 17 | Edward A. Strong | " | 7th and 8th streets. . | 42 95 |
| " | 17 Estate of A. Childs | " | " " | 26 05 |
| Sept. 13 | Maurice & Havens | North | Madison & 4th street. | 14 86 |
| " | 13 Mary Murray | South | " " | 14 93 |
| " | 13 Wm. McCea | North | " " | 13 74 |
| " | 13 W. Forsyth | East | Warren & Chambers. | 13 15 |
| " | 13 Wm. Gordon | North | Avenues 6th and 7th. | 4 94 |
| Oct. | — Benedict | West | 30th and 31st streets. | 133 68 |
| " | 20 Estate of R. Peyton | East | 36th and 37th " | 133 80 |

| | | | | | | |
|----------------------|----|-------------------------|---------|----------------------|------------------------|------------|
| Oct. | 20 | Henry Youngs..... | West | 8th avenue..... | 40th and 41st streets. | 62 51 |
| " | 20 | Henry Moore..... | East | 8th "..... | 42d and 43d " | 59 01 |
| " | 20 | Thomas Jones..... | South | 26th street..... | 8th and 9th avenues.. | 5 80 |
| " | 20 | George C. Dekay..... | " | 27th "..... | 7th and 8th " | 3 58 |
| " | 20 | Robert Ray..... | " | 28th "..... | 8th and 9th " | 8 83 |
| " | 20 | R. W. Martin..... | " | 28th "..... | 7th and 8th " | 3 17 |
| " | 20 | Wm. Scott..... | " | 32d "..... | " " " " " " | 9 32 |
| " | 20 | J. L. Brandon..... | N. & S. | 33d "..... | " " " " " " | 16 14 |
| " | 20 | Andrew Leary..... | South | 36th "..... | 8th and 9th " | 5 74 |
| " | 20 | F. B. Cutting..... | " | 40th "..... | " " " " " " | 9 22 |
| " | 20 | Wm. Birch..... | North | 41st "..... | " " " " " " | 9 37 |
| Nov. | 30 | Dominick O'Connor..... | West | Elm "..... | Reade & Duane sts... | 64 59 |
| Dec. | 20 | Elizabeth Lawrence..... | South | 22d "..... | 6th and 7th avenues.. | 9 78 |
| " | 20 | John Lafarge..... | North | 25th "..... | 7th and 8th " | 11 50 |
| " | 20 | Richard E. Mount..... | " | 25th "..... | 6th and 7th " | 11 50 |
| " | 20 | John Lafarge..... | South | 26th "..... | 7th and 8th " | 70 98 |
| " | 20 | David Benham..... | " | 28th "..... | 6th and 7th " | 12 23 |
| " | 20 | James E. Kelsey..... | " | 29th "..... | 7th and 8th " | 12 30 |
| " | 20 | Alexander Murray..... | North | 29th "..... | " " " " " " | 11 56 |
| 1850: | | | | | | |
| Jan. | 1 | Isaac P. Martin..... | " | South "..... | Gouverneur & Mont'gy | 1,165 33 |
| " | 5 | "..... | South | Montgomery st. Front | and South.... | 343 76 |
| " | 1 | Thomas Decker..... | North | Dominick street | Varick and Clark.... | 8 49 |
| Carried forward..... | | | | | | \$3,510 94 |

| Confirmed. | To whom Assessed. | Location of Property Affected. | | Amount. |
|------------|------------------------------|--------------------------------|-----------------------|------------|
| | | Brought forward..... | | \$3,510 94 |
| 1830: | | Side. | Between, | |
| Jan. 29 | Henry Van Rensselaer..... | South | 18th street..... | 109 88 |
| " 5 | John R. Peters..... | North | 23d " | 119 23 |
| Mar. 5 | Estate of D. F. Jones & oth. | East | 2d avenue | 6 63 |
| " 28 | Robert Elder..... | South | 22d and 23d streets.. | 32 06 |
| " 28 | H. R. Wilcox..... | " | 1st and 2d avenues .. | 78 85 |
| April 8 | J. W. Lowerre | " | Houston " | 41 84 |
| May 4 | Theo. Martine..... | South | 23d " | 69 97 |
| June 12 | James T. Bertine..... | North | 37th street | 3 97 |
| July 6 | Wm. Hurry | South | 54th " | 14 78 |
| " 6 | Geo. Thompson..... | North | 29th " | 78 69 |
| " 6 | Hayward..... | South | 44th " | 7 79 |
| Aug. 8 | Rebecca Anderson..... | " | 30th " | 52 34 |
| " 8 | L. Johnston & Sons..... | North | Broome street.. | 9 97 |
| " 8 | " | " | " " .. | 9 97 |
| " 8 | D. F. Chilson | East | " " .. | 7 87 |
| " 8 | " | North | Mangin " .. | 99 18 |
| " 8 | W. M. Spencer & Co..... | East | Broome " .. | 27 17 |
| " 8 | " | North | Tompkins " .. | 329 14 |
| " 8 | John Tiffen..... | " | Broome " .. | 18 09 |
| " 8 | S. Hyer..... | " | Delancey " .. | 7 50 |
| " 8 | Unknown owners..... | " | 94th " .. | 1 68 |
| | | | 94th " .. | |

| | | | | | | |
|----------------------|---|----------------------------|-------|------------------|-----------------------|------------|
| Aug. | 8 | Gordon Burnham..... | West | Fifth avenue.... | 94th and 95th streets | 6 25 |
| " | 8 | John Robbins..... | " | " | " | 9 67 |
| " | 8 | T. Bussing | South | 95th street..... | 5th and 6th avenues.. | 16 47 |
| " | 8 | Richard Theall..... | " | 95th " | " | 5 98 |
| " | 8 | Jewish Cemetery..... | " | 95th " | " | 5 98 |
| " | 8 | Warren Gray..... | " | 95th " | " | 5 74 |
| " | 8 | Henry Smith..... | " | 95th " | " | 15 01 |
| " | 8 | H. B. Gray..... | East | 6th avenue..... | 95th and 96th streets | 1 62 |
| " | 8 | V. Boland..... | " | 6th " | " | 1 68 |
| " | 8 | H. B. Gray..... | " | 6th " | " | 1 74 |
| " | 8 | H. M. Gray..... | " | 6th " | " | 1 80 |
| " | 8 | Trust Fire Ins. Co..... | North | 95th street..... | 5th and 6th avenues.. | 9 92 |
| " | 8 | J. D. Stevenson..... | " | 95th " | " | 27 18 |
| " | 8 | Sarah Riker..... | " | 95th " | " | 17 70 |
| " | 8 | Trust Fire Ins. Co..... | " | 95th " | " | 2 60 |
| " | 8 | G. J. Bedford..... | West | Fifth avenue.... | 95th and 96th streets | 9 76 |
| " | 8 | Estate of J. Seymour | " | " | " | 8 80 |
| " | 8 | " | South | 96th street..... | 5th and 6th avenues.. | 11 35 |
| " | 8 | W. G. S. Riker..... | " | 96th " | " | 6 24 |
| " | 8 | Jeremiah Wickham..... | " | 96th " | " | 2 82 |
| " | 8 | John H. Roberts..... | " | Fifth street.... | Avenues C and D... | 2 91 |
| " | 8 | Robert Laton..... | " | " | " | 9 61 |
| " | 8 | Daniel Abbott..... | " | " | " | 3 64 |
| Carried forward..... | | | | | | \$4,822 37 |

| Confirmed. | To whom Assessed. | Location of Property Affected. | | | Amount. |
|------------|---|--------------------------------|------------------|------------------------|------------|
| | | Brought forward | | | \$4,822 37 |
| 1850. | | Side. | Tenth avenue.. | 37th and 38th streets. | 4 24 |
| Sept. | 6 Unknown owners..... | East | 37th street..... | 9th and 10th avenues | 247 59 |
| " | 6 Heirs of Geo. Rapalyea, } and unknown owners.. } | North | " | " | 27 45 |
| " | 6 W. M. Patterson..... | " | 37th | " | 27 45 |
| " | 6 Joseph Stanley..... | " | 37th | " | 54 90 |
| " | 6 John Finley..... | " | 37th | " | 54 90 |
| " | 6 Ann Laughlin..... | South | 37th | " | 27 50 |
| " | 6 Thomas McVey..... | " | 37th | " | 110 00 |
| " | 6 Unknown owners, or Heirs of Geo. Rapalyea } | " | " | " | 27 50 |
| " | 6 Wm. V. Brady..... | " | 37th | " | 55 00 |
| " | 6 Unknown owners, or Heirs of Geo. Rapalyea } | " | 37th | " | 27 50 |
| " | 6 Wm. Alkora..... | " | " | " | 484 54 |
| " | 6 Institution for the Blind... | North | 33d | 8th and 9th avenues.. | 38 52 |
| " | 6 Michael Duncan..... | South | 33d | " | 397 24 |
| " | 6 James Boorman..... | " | 33d | " | 166 10 |
| " | 11 J. Crane..... | North | 20th | Avenues A and B.... | 730 89 |
| " | 11 Roberts & Benjamin..... | " | 20th | " | 2255 49 |
| " | 11 Cornelius Vanderbilt..... | South | 20th | " | 74 33 |
| " | 11 J. Murtagh..... | " | 20th | " | \$9,583 42 |

DOCUMENT No. 43.

BOARD OF ALDERMEN,

JUNE 5, 1854.

The following communication from the Comptroller, in relation to the contract with William B. Reynolds, for the removal of dead animals, offal, &c., transmitting the testimony taken before the Recorder in the same matter, was received, laid on the table, and ordered to be printed.

D. T. VALENTINE, Clerk.

DEPARTMENT OF FINANCE, COMPTROLLER'S OFFICE, }
City of New York, June 1, 1854. }

To the Board of Aldermen:

I have the honor of presenting, herewith, a body of well authenticated testimony in relation to the contract of William B. Reynolds, for the removal of dead animals, offal, &c., which fully sustains the justice of the position taken by the Comptroller in refusing payment on said contract. When the strong and conclusive facts embodied in this mass of testimony came to the knowledge of Mr. Blunt, the District Attorney, he considered it not only proper, but a duty, to apprise the Finance Department of the invalid, if not

fraudulent, character of the contract. Every disinterested and unprejudiced person who will examine this testimony with care, must come to the same conclusion which has controlled the official action of the District Attorney and the Comptroller, that public justice, and the rights of an injured community, call for the revocation of this contract.

Knowing that there was important testimony, to which the Committee on Public Health might not have had access, the Comptroller, a few days after their report, in which they express their surprise at finding the position of the Finance Department resting on so slender a foundation, addressed a letter to the Governor, asking permission to take copies of this testimony, to be used in an important case pending before the Board of Aldermen. A copy of this letter is appended, marked A. The answer of the Governor to this request is also appended, marked B.

The testimony of William B. Reynolds and Dr. White is given in full, and at great length, thus relieving the ease from any appearance of an *ex parte* character.

It is not the purpose of the Comptroller, being very much pressed for time at the moment of writing to make a full analysis of this testimony in this report, it. But he cannot doubt the desire of the Common Council to get possession of the whole truth, in a case involving a loss to the people, in five years, of at least a quarter of a million of dollars, and that this desire will prompt the Board of Aldermen to publish a liberal number of copies, and that those on whom the burden of taxation and misgovernment falls most heavily, will read and give effect to the strong and well arranged testimony appended to this

report, and marked C. The affidavits in statement C are numbered, from one to forty-six, for ready reference to them in the brief allusions which follow, in regard to some portions of the testimony.

Mr. Reynolds, when called on by a resolution of the Board of Aldermen, for a copy of the original contract between the Corporation and Stephen Coles, and which was understood to have been assigned to Reynolds, replies as follows:

"I am not now, and never have been, aware that there ever was any such contract with Stephen Coles, above-named."

The object of this inquiry was to get the terms on which Coles agreed to perform a certain contract; and whether these conditions had taken the shape of a formal contract, or were in the form of a proposition, accepted by the City Inspector, could not be very essential to the object which the Board of Aldermen desired to reach.

It will be seen, however, by Mr. Reynolds' own testimony before the Recorder, (Sec No. 1.) that he says, after alluding to his present contract, "The previous contract was in writing. My name was not in that contract, I think. I bought it. I bought it from one Mr. Coles."

Dr. White, in his testimony, says, in regard to the assignment from Coles to Reynolds, "All I know about the assignment was, *that it was brought to the office by William B. Reynolds and filed.*"

Now, what was the form of this instrument which was assigned and filed in the office of the City Inspector? and

where is this paper, the pretended basis of the payment of sixty-five thousand dollars annually, from the treasury? It was a public record, what has become of it? If lost, why does not Dr. White give testimony as to its contents? Was this paper a contract, or was it a copy of the bid of Stephen Coles, to remove dead animals, offal, &c., from the city, at nineteen dollars per day, as stated by Dr. White, made to the Board of Aldermen, November 8, 1850, page 324, vol. 40, of proceedings. This, as stated by Dr. White, was "a proposal for a contract to remove the blood and offal of the slaughter houses from our city. Stephen Coles, being the lowest estimator, the contract was awarded to him," and this too, at nineteen dollars per day.

In May, 1851, (See Proceedings of Aldermen, page 195. vol. 42,) the City Inspector applied for an appropriation of fourteen thousand dollars, for removing, to the distance of twenty-eight miles from the city, blood and offal from slaughter houses; and also, dead horses, cows and other animals. How has this charge been worked up to sixty-five thousand dollars per annum?

The testimony of the hotel proprietors, in relation to the removal of garbage, for which the contractor is allowed, in the contract, four hundred dollars per month—and the testimony of the manufacturers of soap, who declare that there are no nuisances to be removed, although the contract provides for paying Reynolds six hundred dollars per month—and the testimony of the sugar refiners, one of whom declares that he pays twenty thousand dollars, annually, for bones, and yet the contractor is allowed four hundred and ninety dollars per month for removing bones, may throw some light on the manner of increasing the

compensation to the contractor, after the bid or contract was assigned by Coles to Reynolds.

The testimony of the highly respectable witnesses before referred to, whose affidavits are embraced in Nos. 34 to 46 inclusive, clearly demonstrates that these three items, amounting to sixteen thousand eight hundred dollars annually, cover payments for which the city receives no equivalent, and are a monstrous fraud on the city treasury. And that it would be a gross dereliction of duty on the part of the Finance Department to audit and allow any portion of any one of these items.

It would be equally wrong to pay any portion of the nineteen dollars per day for removing dead animals from the foot of Fortieth street, North river, when no such service is performed. This amounts to nearly seven thousand dollars more, as a reward for not doing what the contractor has engaged to do.

The testimony is also very strong against the contractor in regard to delays in removing dead animals and offal, and by this neglect creating nuisances where he is paid for removing them. Nos. 11 to 21 are conclusive on this point.

The testimony of Mr. Baxter, No. 6, clearly shows that the contract would be a profitable one to the contractor, without his receiving a single dollar from the treasury. Indeed, he says, the monopoly secured to this favored contractor by the terms of the contract, and by the ordinances made to enforce the monopoly, is worth fifty thousand dollars per annum. If so, the privileges secured to Reynolds and his associates for the five years, is worth half a million of dollars.

One of the Committee who favored the contract with Reynolds, has been examined, and his testimony is embodied in No. 28. Alderman Oakley, another member of the Committee, and the most active one from the commencement, has not, as I am aware, been examined. It is respectfully recommended that his testimony be taken and added to that presented in statement C.

Dr. White presented to the Recorder certain affidavits, taken in some stage of the bone-boiling controversy, which are not embraced in statement C, but if desired, copies of them will be furnished.

All which is respectfully submitted.

A. C. FLAGG, *Comptroller*.

(A)

NEW-YORK, April 25, 1854.

GOVERNOR SEYMOUR,

DEAR SIR:—A matter is now before the Common Council which makes it desirable that the Finance Department should have the testimony, or a portion of it, taken before the Recorder in the case of Wm. B. Reynolds. It seems to me that this proof, now in your hands, might properly be used to further the ends of justice.

If you see no impropriety in having the testimony in regard to the Reynolds' contract, copied and used before the Board of Aldermen, I will get Col. Warner, who made the copies originally, to visit Albany, and transcribe the same.

Respectfully and truly yours,

A. C. FLAGG.

(B)

STATE OF NEW YORK,

EXECUTIVE DEPARTMENT.

ALBANY, April 27, 1854.

HON. A. C. FLAGG:

My Dear Sir:—It is my intention to deposit in your office the testimony taken in New York, before Recorder Tillou. I shall go to New York, and will carry the papers, &c., with me. If this will not be in time for your purpose, I will send them to you by express.

Very truly yours, &c.,

HORATIO SEYMOUR.

(C, No. 1.)

Before the Hon. Francis R. Tillou, Recorder of the city of New York.

City and County of New York, ss:

William B. Reynolds, being duly sworn, this 24th day of May, 1853, deposes and says, as follows:—I reside in said city, No. 80 Rivington street; I am a contractor; I have been engaged as a contractor for two years; prior to that time I kept a hardware store; I was engaged in no other business, prior to two years ago, than the hardware business, I think; on quitting the hardware business I went into the business of removing blood and offal from the city; I had but one contract for that purpose, and it is a part of the unexpired contract; I had not been engaged in removing blood and offal from the city prior to making this contract, I believe the contract was in writing; there was another contract, of which the present one was a renewal; including all contracts, the full time I have been engaged in removing blood and offal from the city, was about two years last February, I think; the previous contract was in writing; my name was not in that contract, I think. I bought it. I bought it from one Mr. Coles; his Christian name I do not recollect. I don't recollect whether the transfer of that contract was in writing, but I think it was; I think it was Stephen Coles from whom I bought the first contract; I don't recollect the time the assignment by Coles to me was made; it was about two years ago; it must have been in 1851; I think I commenced in February; prior to that there was no contract; it was carried on by individuals; these private individuals were one Brady, Baxter, Lent, Jas. D. Morgan; I know

nobody else in that business; I lent five thousand and some odd dollars to those persons; I paid to Mr. Morgan, the Secretary of the Company, who was to have given me a mortgage on the island—Eaton's Island—and the steamboat Boston, but did not do so; I do not know who Stephen Coles was; I never saw him but once, to my knowledge; I don't recollect how much I gave him for the contract; I cannot say whether it was as much as one thousand dollars; I don't recollect who introduced me to Mr. Coles; I don't recollect to whom I paid the money; don't recollect whether the contract was consummated at the only interview I had with Mr. Coles; the blood and offal, under that contract, was carried beyond the Narrows, outside, twelve miles from the city; the dead animals were conveyed to the same place; they were not conveyed to Barren Island at that time; the dead animals at that time were dumped overboard; I hired Barren Island about the latter part of February, 1851.

Q. What rent did you agree to pay at that time for Barren Island?

The witness declines answering the question, on the ground that it interferes with his private business.

Q. Do you recollect going on a Sunday for the purpose of seeing about hiring that island?

The witness declines answering the question, for the same reason as above. I received my pay, under the Coles contract, from Dr. White, the City Inspector. I was paid once a month; I cannot tell exactly; some months more than others, according to the number of animals removed; my office in the city, at that time, was No. 17 Platt street; no body superintended under me the carrying out of that contract; I did it myself; under the Coles con-

tract, in the first place, I removed the dead animals, blood and offal in a barge, towed by a steamboat down the Bay; afterward I removed them in sailing vessels; I hired different steamboats to tow; sometimes, whilst we towed with the steamboat, we went every other day, afterward, when we used sailing vessels, we went every day when we could; the barge was moored at the foot of Twenty-third street, East river; there was another boat placed a short time afterward at the foot of, or in the neighborhood of Forty third street, North river; about the time I bought Coles' out, I bought the barges, but I don't know from whom. Prior to my buying the contract from Coles, I received no money from Dr. White. I don't recollect whether I negotiated the purchase of the contract from Coles, with himself direct. I know Mr. John Brady; he was not engaged of any consequence in removing my offal; I filed the assignment of the Coles' contract with Dr. White; I now recollect that assignment was in writing; it was signed by Coles; I do not know that, in or about October, 1850, Coles assigned that contract to John Brady, William C. Lent and James D. Morgan, or either of them; I did not hear that he had made a previous assignment to any one; I don't recollect whether the assignment of Coles to me embraced the use of any boats or barges; I know James Riddle; he was employed by me.

Q. In what capacity was James Riddle employed?

A. In any thing I directed him to do.

Q. What was his special employment?

A. In any thing I directed him, in all nuisances. He was not employed at a salary; I gave him a certain portion of the profits, subject to no losses.

Q. What portion of the profits?

The witness declines answering, because it relates to his

private business, and desires to have the advice of his counsel; his counsel was sent for, and appeared and advised the witness to answer the question.

A. He had one-eighth; I gave him that to facilitate the business, and to interest him more in having it hurried on.

Q. How much did you pay him in any one year?

A. I do not recollect; I cannot tell about. Mr. Riddle continued with me until within two or three months ago; I don't recollect when he commenced with me; he was with me over a year; I made no agreement with Riddle under the new contract; I don't think I did; he continued on under the old arrangement; there were other persons who received a portion of the profits. Thomas Frith did; he takes charge of the establishment at Barren Island. Mr. Frith resided, before he took charge of Barren Island, on Fortieth street, just below Tenth avenue; my acquaintance with him commenced some four or five months before I commenced with the first contract; I don't recollect who introduced him to me. Francis Gross, my partner, was also interested in the profits; he has been my partner some five or six years in all business; no one else is interested in the profits; no other person has been interested in the profits under either contract, except those above-named, during the time or part of the time I have held those contracts; I recollect now, that another person, James D. Morgan, was interested in the profits of both contracts; he did not render any services in particular; I don't recollect what amount or proportion of profits he was to receive; I have no means of refreshing my recollection on the subject; there was no one else; no one was to receive any sum to be paid to me out of the moneys to be paid to me, or any proportion of the moneys to be paid to me. No person has

received any money from me growing out of my contract or contracts, or either of them, other than those interested in the profits as before named, and those immediately employed by me in carrying into effect the said contracts.

Q. Did you, Mr. Reynolds, make proposals to the City Inspector, or any other officer of the Corporation, in regard to the first contract, before it was granted to Mr. Coles?

A. No, sir.

Q. Did any person, in your behalf?

A. No, sir.

Q. At the time of the transfer of the contract by Mr. Coles to you, what arrangement, if any, was made in reference to your prior debt of five thousand dollars and upwards?

A. There was not any arrangement made with me.

Q. Was there any arrangement made with regard to that debt?

A. There was not.

Q. Does that debt still exist?

A. Yes, sir.

Q. Against whom?

A. Against Baxter, Brady, Lent & Co.

Q. Have you attempted to enforce its collection?

A. Yes, sir; as hard as ever a man did in the world.

Q. Against whom?

A. Baxter, Brady, Lent & Co.

Q. Did you commence a suit?

A. Yes, sir.

Q. Who were the parties defendant in that suit?

A. I am at a loss to tell you.

Q. Was James D. Morgan one of them?

A. Yes; he was the Co.; he was sued.

Q. Did you put in proposals, in writing, to the City Inspector, or any other officer of the Corporation, in relation to your present contract?

A. No, sir.

Q. Did you put in proposals of any kind, in writing, in relation to the obtaining of the present contract?

A. Yes; I gave to the City Inspector a statement in writing, of the prices for what I would do the extra work.

Q. What was the extra work to which you allude?

A. It was removing butchers' blood and offal from the slaughter houses to the boats; also dead dogs, cats, soap boilers' nuisances; it was all that was not embraced in the former contract.

Q. Were those proposals of yours sealed proposals?

A. No, sir.

Q. Your former contract was for one year only—who arranged for the five years?

A. I don't recollect about that.

Q. Can you explain how your contract came to be for five years?

A. I was carrying on my contract. There was a petition sent in to the Board of Aldermen, to remove the offal and the dead animals from the city for nothing. There was another petition, by Mr. Wood, to perform this for ten dollars a day. The first petition above named, was from Mr. Green. There were several others from parties whose names I don't recollect, for different prices. I sent in a petition to the Board of Assistants, that I would continue to remove it at the same prices that I was then receiving from the City Inspector. Some five or six weeks

—it might have been longer—I received a notice from the Committee on Public Health, to attend a meeting; I took a statement of four separate months, out of my ledger, showing them the amount it cost to remove it; I there told the chairman of the Committee that I would go before a Commissioner of Deeds with him, and make an affidavit that that was a correct copy of what it cost to remove it from the city. It cost thirty-two thousand dollars, and I received twenty-eight thousand dollars for one year. They laughed at me, and did not believe it. I told them it could not be removed from the city for less, that it could not be done for nothing; it could not be removed where it had to go to; it was very expensive. I told them I would not take it any less, and I would not take it unless they gave it for five years, to enable me to place a steamboat there. Mr. Green, and some twenty-five others, came before the Committee. Mr. Green stated that he had made a mistake, and that he could not do it for nothing, and he wished his influence to go in favor of Mr. Wood; they told him his influence was of no service. They then asked one of those other gentlemen what he would do with it. He said he would take it to Fortieth street; they asked if he had any other place, and he said no; they told him the state law would not allow it to go there. Another one of the gentlemen said he would take it under the Palisades, at any price they would name. They showed him a remonstrance from New Jersey, that they would hold the city liable for bringing nuisances in their state; they also showed him another from all the owners and captains of steamboats on the Hudson river, who said if they had no other remedy to prevent it going there, they would run the boats, taking it, down. There were several others, who said they would take it about the city; but the law prohibited that. They

asked Mr. Wood what he would take it away for, and he said he could not take it for ten dollars a day; if they would give it to him, he would take it for one dollar a day less than I had agreed to take it for.

W. B. REYNOLDS.

The further examination of the witness was postponed until to-morrow morning.

MAY 25, 1853.

The examination of the witness was resumed.

Q. What rent did you agree to pay for Barren Island, the latter part of February, 1851?

A. I paid one hundred dollars a year.

Q. Who was the lessor?

A. Mr. Lott, of Flatlands, L. I.

Q. As the result of the proceedings before the Committee of the Board of Aldermen, as detailed by you yesterday, was it determined to give to you a contract for removing dead animals, offal, &c.

A. I don't know.

Q. Was your contract first passed upon by the Board of Aldermen?

A. No, sir.

Q. Was this interview with the Committee of the Board of Aldermen, before or after the resolution on the subject of that contract had passed the Board of Assistants?

A. It was after.

Q. How came the subject, in the first instance, before the Board of Assistants?

A. I sent a petition there.

Q. Did you attend any meeting of a Committee of the Board of Assistants on the subject?

A. Yes, sir.

Q. Who were the members of that Committee?

A. Assistant Aldermen Tait, Ring and Mabbatt.

Q. Did you attend more than one meeting on the subject?

A. I attended one or two; I don't recollect.

Q. Did any other person attend on the same subject, besides yourself?

A. I do not know.

Q. Was any abatement made in your original terms, as proposed by your petition, by that Committee?

A. I do not know; there might have been, after I left; there was not whilst I was there.

Q. Had you, prior to that, had any business or pecuniary transactions with either member of that Committee?

A. No, sir; I might have spoken to some of them, to give me the contract.

Q. Did you afterward have any business or pecuniary transactions with either member of that Committee?

A. I don't recollect of having any.

Q. In what bank did you then keep your account?

A. In the Union Bank.

Q. Were you, at that time, indebted to any member of the Board of Assistants?

A. No, sir.

Q. Do you remember a check of yours, having the indorsement of one of those members?

A. No, sir, unless Mr. Mabbatt may have had one for a coal bill.

Q. Had you, prior to that time, had any business or pecuniary transactions with Dr. White?

A. No, sir.

Q. When did your first business transactions commence with him?

A. About two years ago last February.

Q. What were they ?

A. Removing the blood and offal, under the contracts.

Q. Have your business transactions with him terminated ?

A. Yes, sir.

Q. When did they terminate ?

A. When he went out of office.

Q. Were you, at any time, indebted to Dr. White, during those two years ?

A. No, sir; only in discounting a note for me.

Q. Did you receive your pay by warrant ?

A. No, sir; by checks I received it whilst Dr. White was in office.

Q. By whose checks ?

A. Dr. White's.

Q. On what bank ?

A. The Butchers and Drovers' and the Nassau Bank.

Q. Who drew the warrants from the Comptroller ?

A. I do not know.

Q. Did you then draw them, or any of them ?

A. No, sir.

Q. Was any body by you authorized to indorse your name on those warrants ?

A. No, sir.

Q. Of that you are positive, are you ?

A. Yes, sir.

Q. Did you see any of those warrants ?

A. I might have seen them.

Q. Did you yourself ever indorse one ?

A. No, sir.

Q. Did the amount of the checks you received from Dr. White correspond with the amount of the warrants?

A. I never saw the warrants.

Q. Did you keep a set of books.

A. Yes, sir.

Q. Have you them still?

A. I do not know.

Q. When did you last see them?

A. I don't recollect.

Q. Have you seen them within a month?

A. No, sir.

Q. Who had charge of them when you last saw them?

A. They were in my office, No. 92 Warren street.

Q. Have you any reason to suppose they have been removed from there?

A. No, sir.

Q. Have you recently rendered a bill against the Corporation?

A. Yes, sir.

Q. From what sources, or entries in what books, did you derive information of the items composing that last bill?

A. I get it from the contract.

Q. How did you know the number, from the contract, you removed during the month?

A. I get it from the superintendent of the docks, placed there by the City Inspector.

Q. Who pays that superintendent?

A. I presume the City Inspector; he employs him.

Q. His name?

A. Mr. Cornell; his Christian name I don't know; I don't know where he resides.

Q. How did you ascertain the number of tons of blood and offal?

A. I got it at the City Inspector's office.

Q. Do you make any entries in your own books in relation to these matters?

A. I do about the dead animals.

W. B. REYNOLDS.

The further examination of the witness was postponed until to-morrow morning.

MAY 26, 1853.

The examination of the witness was resumed.

Q. When did you send in your application for the contract of 24th of April, 1852?

A. I sent in a petition; I don't remember the time; you will find that out by the petition; I think it was about two months before the contract.

Q. To which Board did you send it?

A. To the Board of Assistants.

Q. By which member of the Board did you send it in?

A. I don't remember.

Q. Did you have any conversation, directly or indirectly, with any member or members of the Common Council upon the subject of that application, before you sent it in?

A. I might have done so, but I don't remember any one in particular.

Q. Did you not have a particular conversation with one of the Aldermen, on that subject, before you sent your application in?

A. I don't remember.

Q. Is your memory very good or very bad?

A. It is good in some cases.

Q. Is it bad in others ?

A. It is in some cases.

Q. Is it bad in relation to all conversations you may have had with members of the Common Council, on the subject of that application ?

A. Some of the conversation I recollect; no sir, it is not bad with regard to all.

Q. Had you any conversation with, or any understanding with any person or persons, that he or they, or any of them should be directly or indirectly interested with you in that contract or the profits to be derived therefrom, or any portion of such profits, provided you were successful in obtaining the same ?

A. Yes; I did.

Q. Name such person or persons ?

A. Francis Gross, James D. Morgan.

Q. Any one else ?

A. No sir.

Q. Don't you know ?

A. I don't remember of any other person, I might have had.

Q. Don't you know whether you did or not ?

A. I do not remember.

Q. Who might be the person with whom you might have had such an understanding ?

A. I do not remember.

Q. How long is it since you have forgotten who that person was ?

A. I don't recollect.

Q. State the time, to the best of your recollection ?

A. I cannot state the time, for I don't know.

Q. Was it before or since the first of March last ?

A. If I had any conversation with any person it was before.

Q. Don't you know whether you had any conversation or understanding with any person, in relation to the disposition of the profits of that contract?

A. Yes, sir.

Q. Name the person and persons?

A. Francis Gross.

Q. Who else?

A. I don't recollect.

Q. Was James D. Morgan one?

A. I can't remember, I might have had.

The witness now states, that having misapprehended the purport of the former questions, says, that it was not understood or agreed upon between himself and any one else, that he was to share that contract or any of the profits to be derived therefrom, with any person or persons other than Mr. Gross and Mr. Morgan, before named, and except that some of his employees were to have a portion of the profits, as the measure of their compensation.

Q. Do you know who wrote the report of the Committee of the Board of Assistant Aldermen?

A. No, sir.

Q. Do you know who wrote the report of the Committee of the Board of Aldermen?

A. No, sir.

Q. Did you not know that that Committee had this report written and ready to present at the time that Mr. Menck, Mr. Green, and Mr. Brady, appeared before the Committee on the afternoon of the evening on which that report was made in your favor.

A. I did not know.

Q. Did you know, or was you consulted upon the subject of the report of Dr. White, the City Inspector, made to the Committee of Public Health, in the Board of Assistants?

A. I don't recollect, I might have heard something about it; I am not positive.

Q. Was Dr. White, or is Dr. White directly or indirectly concerned in the contract or its execution?

A. No sir; no further than executing the contract as the head of the department.

Q. Had you in any way, shape, manner, or form, any counsel or attorney, or any agent employed, directly or indirectly, in the application for, or in, the procuring of that contract?

A. No, sir.

Q. Have you ever paid or agreed to pay any person or persons whomsoever, any money, property, or valuable thing, for in any way assisting in procuring that contract?

A. No, sir; not as I recollect.

Q. Why do you qualify your last answer?

A. If you should hereafter bring to my mind where I had I could answer more fully.

Q. Is it possible that any thing of that kind may be brought to your mind hereafter?

A. It might be.

Q. Have you at any time made any loan, gift, gratuity or reward, directly or indirectly to any person or persons whomsoever, of any money, property, article or valuable thing for or toward a compensation or on account of aid or service he or they may have rendered, or been supposed to have rendered, in procuring said contract.

A. No, sir; not that I recollect now; I can answer more

distinctly on one thing, there has been no public officer has received any thing.

Q. Has any one else received any thing?

A. I don't remember.

Q. If you don't remember the person, don't you remember the amount or the thing given or loaned?

A. No, sir.

Q. Are you in anywise related to any of the Aldermen or Assistant Aldermen?

A. No, sir.

Q. Who are interested with you in the manufacture of the dead animals, after they are removed from the city?

A. There is no one interested.

W. B. REYNOLDS.

Sworn before me the 24th day of May, }
1853, and examined that day and on }
the 25th and 26th days of May, 1853. }

F. R. TILLOU, *Recorder*.

(No. 2.)

CITY AND COUNTY OF NEW YORK, ss:—Alfred W. White being duly sworn, deposes and says, as follows—I was City Inspector from May, 1847, to 1st January, 1853; I have read the depositions of John Brady, William C. Lent, William L. Baxter, William H. Knapp and Thomas C. Pinckney, in which my name is referred to. Each and every allegation contained in those depositions, or any of them, that I was ever a partner of the firm of Baxter, Brady, Lent & Company, or tending to convey that idea, or that I was interested at all in their transactions, or

concerns, or ever acknowledged or said I was such partner or was so interested, are utterly untrue; I never was such partner; I never was so interested, directly or indirectly. The assignment, mentioned in the deposition of John Brady, of the contract by Coles, I had no interest in whatever, nor had Col. Childs any interest in it; and the reason why my name and Heman W. Childs were not mentioned in the assignment was because we had no interest whatever in it; and any thing stated by Mr. Brady in his deposition to the contrary, is untrue. All I know about the assignment was that it was brought to the office by Wm. B. Reynolds and filed, and he undertook to perform the contract; I had no part or lot in the transaction; Mr. Morgan was one of the firm of Baxter, Brady, Lent & Co.; Mr. Morgan told me that Mr. Reynolds had loaned the firm money, the particulars of which I know nothing about; Col. Childs and myself also loaned them money, which we have not received back, and for the recovery of that which I loaned, I brought a suit, which is now pending. I recollect Mr. Lent as well as others coming to the office and conversing there in relation to the removal of nuisances from the city, and that it was the great desire at that time, to devise some efficient plan for their removal; there was much conversation on the subject, the particulars of which, I do not distinctly remember; I am confident, however, that I never did tell Mr. Lent or any other person, that I did not wish my name to be known in the business, yet I would use my official influence and share with Lent, Baxter & Brady, or any or either of them, the profits, or any profits, and contribute to any loss that might be sustained, or used any words to that effect; the allegation in Mr. Lent's testimony to the contrary is

utterly untrue; I never for a moment intended, or conveyed any idea that I intended, to have any interest or share in the business. All the desire I had, and I so expressed myself, was that they should, by some effectual plan, adopt measures to remove the nuisances. It is true I went, at their request, to Ward's Island, at the south corner, but I found it would not answer the purpose for the place of deposit, as it was too near the city. I afterwards went, at their request, with the Mayor and a Committee of the Common Council to view Eaton's Island, and that we thought would answer. It is utterly untrue that about this time, or at any time, I ever suggested to them, or any of them, that they should take in with them, Heman W. Childs, the Commissioner of Streets and Lamps, or that he was to use his official influence to their advantage. I never said so, or used any words to that effect; I never for a moment supposed, or desired that Mr. Childs had or should have any interest whatever in the transaction. I am under the impression that I did introduce James D. Morgan to Baxter, Lent and Brady, but I am sure the object of my introducing him was not that he should become a partner or interested in that business; I may afterward have had some conversation with Mr. Morgan, and expressed a desire that he should succeed in the business—that is to have articles removed—as that was my particular business. It is true, that a partnership was formed by Baxter, Brady, Lent and Morgan, under the firm of Baxter, Brady, Lent & Co.; but it is utterly untrue that Col. Childs and myself, or either of us, were silent partners, or partners in any sense whatever, or at all interested in that firm; it is true that the firm composed of them, went on and conducted their business; but it is utterly untrue that Heman W. Childs, or myself

or either of us, had at any time any share or interest whatever in that business. It is utterly untrue, as alleged in the deposition of Wm. C. Lent, that when, or about the time the Corporation advertised to have the offal, blood, &c., removed from the city by contract, that it was suggested by me that they should have some person put in low enough to secure the contract for their firm. I never so said, or did I ever in any manner convey an idea to that effect. The only assignment of the contract of Coles that I know any thing about, was the one executed to William B. Reynolds, which was filed in the office. I have no knowledge of the assignment of that contract previously to John Brady and others, but I am under the impression that some of them came into the office and mentioned that such an assignment had been made, but I am confident that there was no understanding, to which I was a party cognizant, that Mr. Childs and myself, or either of us, were silent partners, or partners in any sense in that matter, or were to retain any interest in that contract, or any interest in any former business of that firm. It is utterly untrue that Mr. Childs or myself, or either of us, were partners to any agreement by which each member of that firm should put in one thousand dollars; and it is utterly untrue that Mr. Childs and myself, or either of us, each paid that sum to that firm directly or indirectly; we never were members of that firm, never paid any money into that firm as members of it; and the only money transaction, either of us had with that firm, was to loan money to it as above-mentioned. It is untrue, as alleged in the deposition of William L. Baxter, that I sent for him to come to my office; he came there in company with Lent, I think. The statement made by said Baxter of the pro-

positions, and remarks alleged to have been made by me on the occasion of that interview are utterly untrue. I never made such a proposition, and never made such remarks; I recollect his calling, in company with Mr. Lent, and some conversation then occurred, the particulars of which I cannot recollect; but I am confident no such proposition or remarks as he alleges, ever fell from me.

It is untrue that I ever mentioned the name of Heman W. Childs, as one of the persons to join them, and untrue that I ever mentioned that he, Childs, could facilitate our operations in regard to several things under his charge. It is untrue that when I went with them to Ward's Island, I assumed the name of John Green, as alleged by Mr. Baxter, and untrue that I gave as a reason, that I did not wish to be known as the City Inspector, on that occasion.

It is untrue that I ever named James D. Morgan as a party to the firm, and as a moneyed man. It is true that these men, Brady, Baxter and Lent, of that firm, would frequently come to my inner office and would talk over the subject of removing the offals, the conversation was an open one, the door was open, and there was no design on my part to observe any secrecy. The conversation was confined to the manner of executing the work.

It is utterly untrue that on any of those occasions any plans for their association was discussed, or any difficulty was suggested by me or Mr. Childs, as to how any articles of copartnership could be prepared without having the names of us or either of us appear publicly, or in any other way.

Neither Mr. Childs or myself had any connection with them as copartners, and therefore such a difficulty could

not have been, and was not suggested. It is utterly untrue that at any meeting it was agreed that we, or either of us, in connection with Mr. Baxter and the others of that firm, or any other persons, making six persons, should form any association, or the association alleged in the deposition of Baxter, and untrue that it was understood by Mr. Childs or myself that Mr. Morgan and Mr. Baxter should consult a lawyer as to the preparation of any articles of association so as to avoid any difficulty suggested by me.

It is true that on one occasion, one of that firm, I don't recollect whom, suggested that by reason of their coming frequently to my office that it would injure them in their business and invite competition, and therefore expressed a desire that we should meet them at the North American Hotel, which Mr. Childs and myself, after some objections, consented to do. It is untrue that Mr. Childs and myself, or either of us, ever suggested that we had better find some more private place for meeting, as we feared the objects might be mistrusted, as alleged by Mr. Baxter. It is true that we stopped once or twice at the North American Hotel for a few minutes, and saw some of the firm there; the whole subject of the conversation was in reference to the removal of the nuisances, and the directions I gave them as to the manner of performing that duty. It is utterly untrue that with my knowledge we met with doors locked, and though it was not absolutely public, yet I was not aware it was done with the degree of privacy set forth in Baxter's deposition. I have never been applied to or solicited to sign any such articles of agreement as are referred to in Baxter's deposition; I never saw any such articles. It is untrue that I ever gave as an excuse for

not signing any such articles, that Brady and Lent had not paid their \$1000, which each member of the association was required to put in, or said that as soon as they put in their sums I would sign. I was not a member at any time of the association, there was no occasion, therefore, for my making such excuse. It is untrue that I ever put in \$1000, or any other sum as the proportion of the fund, as is alleged, was recommended by Mr. Childs; I verily believe that Mr. Childs never put in any such sum; I repeat, we never had any money transactions with them, except the loan before referred to. The remarks imputed to me by William H. Knapp, in his deposition, as having been made at my office, at a meeting of Mr. Baxter and others, I never made; his allegations, to the contrary are untrue. In all my acts and proceedings in relation to the matters referred to in the depositions above-mentioned, my sole object and desire was to perform my duty carefully, and for the best interests of the city. I have not been, and am not now, and never intended or expected to be interested directly or indirectly, except only so far as my official duty demanded in the above matters, and every thing alleged to the contrary in the said depositions, or any of them is untrue. The only reason, as far as I can discover, why Mr. Childs took an interest in the affair was, that Baxter was an old acquaintance of his, and was induced, therefore, to loan him money, and also that Mr. Childs' property would be benefited by the abatement of these nuisances.

A. W. WHITE.

Sworn before me, this 16th }
day of January, 1854. }

F. R. TILLOU, *Recorder.*

(No. 3.)

CITY AND COUNTY OF NEW YORK, ss.—John Brady, being duly sworn, deposes and says as follows:

I reside in Thirty-sixth street, between the Ninth and Tenth avenues, in said city. I am a contractor; I was associated, as a copartner, with William L. Baxter, William C. Lent, James D. Morgan, and two silent partners, viz: Alfred W. White and Heman W. Childs, in the business of removing dead animals, blood, offal, &c., from the city; all the said persons were to be equally interested in the business. For that purpose, and the manufactory connected therewith, the said firm purchased an island in the East river, known as the South Brother. That firm's operations were suspended in the fall of 1850; up to that time I superintended, for the firm, the removal of all animal substances from the city; it was suspended by injunction, obtained at the suit of William L. Baxter, one of the firm, about October, 1850; there was no contract on the part of this firm, with the Corporation. The firm purchased carcasses from different individuals, the price paid being a dollar, and a dollar and twenty-five cents for the carcasses of dead horses, to be delivered at the foot of Twenty-third street, East river; the expense of removing these carcasses and offal from Twenty-third street to the island South Brother was borne by the firm; the business, as conducted by this firm, up to the time of the injunction, was very profitable; we had not, at this time, any exclusive right to the carcasses, offal, &c., but it was a private speculation, and open to competition. An exclusive right in one individual or firm, and a legal prohibition of the interference

of others in this business would be worth eighty thousand dollars a year, clear profit to the individual or firm, the individual or firm bearing all the expenses of the removal of the carcasses and offal; if the city would give me such exclusive privilege I would give fifty thousand dollars a year, with ample security, and bear all the expenses; after the interruption by Baxter, with the injunction, the five other parties arranged together for the procurement of a contract, through the City Inspector, from the Corporation, for the removal of the offal, &c.; that contract was obtained in the name of my nephew, Stephen Coles, through the City Inspector's Department, upon my estimate; this contract provided for the payment, to the contractor of nineteen dollars a day, for the removal of these animal substances; by that contract Coles had the exclusive privilege, the Corporation prohibiting all others from interfering; that contract, at nineteen dollars a day, amounted to six thousand nine hundred and thirty-five dollars a year; the contract was to continue for one year; this contract was obtained in the early part of October, 1850, as nearly as I can recollect; within about a fortnight after the contract was made, it was assigned by Coles, by assignment, the original whereof is herewith produced, marked "Exhibit A., F. R. T." The names of Alfred W. White and Heman W. Childs were not mentioned in the assignment, because they were, at the time, Heads of Departments of the City Government; Alfred W. White being at the time City Inspector, and Heman W. Childs, now deceased, Commissioner of Streets, Lamps and Gas; at the time of making the estimates for this contract, there were some four or five estimates put in, in the names of various individuals, all belonging to the same firm, in which all were

to be interested; mine being the lowest, I obtained it, for the benefit of the same firm. This contract was carried out on the part of the contractor; I have never received any money for the performance of that contract; Mr. Morgan, one of the firm, made an arrangement with William B. Reynolds, the present contractor, to assist in carrying out that contract, the particulars of which I do not know; Reynolds and Francis Gross, I afterward understood, were the general backers of Mr. Morgan; as well as I can recollect, in the month of April, 1852, I attended before the Committee, of which Alderman Sturtevant was a member, in the library room of the Common Council, on the afternoon of the day on which Alderman Sturtevant made a report in the Board of Aldermen, recommending a concurrence with the Board of Assistants for the ordinance giving the contract to Reynolds; the Committee were to have met at 3 o'clock that afternoon, but did not assemble until after four. The Board of Aldermen were to meet at 5 o'clock, and the Committee hurried through, so as to be able to go up stairs to report to the Board of Aldermen. I had, at that time, in my pocket, written proposals for that contract, and attended the Committee for the purpose of presenting, but, from the character of the operations, and conduct of the Committee, I was satisfied there was no use of doing so; Mr. Samuel Garrison was present that afternoon, and publicly offered to the Committee to contract to remove those articles for nothing, and to give good security for the faithful performance, on his part, from one thousand dollars to ten thousand dollars, naming his securities, who were perfectly responsible men; another person desired the Committee to postpone it for a week, and the Committee promised to give a

a hearing on the ensuing Tuesday; but, instead, reported, that very afternoon, a concurrence with the Board of Assistants, in favor of Reynolds. The proposals which I had, but did not present, were for the performance of said contract at eleven dollars a day, or about four thousand dollars a year. The same boats, or part of them, except the steamboat, which belonged to the firm when Alfred W. White was a member of the firm, are now used by William B. Reynolds, under his contract; and the dead animals, bones, &c., are transported to Barren Island, which was the place used by the former firm, and is leased by said Reynolds at one hundred dollars per annum.

JOHN BRADY.

Sworn, before me, this 26th }
day of March, 1853. }

F. R. TILLOU, *Recorder*.

(No. 4.)

CITY AND COUNTY OF NEW YORK, ss:—John Green, being duly sworn, deposes and says as follows: I reside No. 400 Ninth avenue in this city; I am a dealer in bones and keep a bone-boiling establishment; my factory is on the west shore of the Hudson river, about five miles below Piermont; it is under the palisades, and my nearest neighbors are those living across the river at Hastings; the nearest on the same side with the factory are at Sneden's landing, about three or four miles from it; Bones, in the operations of my factory, are valuable to me, and the blood and butchers' offal are valuable

to me as manure, which I could sell to the farmers. I considered the privilege of removing the dead animals and offal and blood as a full compensation for the labor and expense of such removal; and I presented a petition to the Board of Aldermen in the month of February or March 1852, praying for the privilege of removing the offal and dead animals and blood at my own cost and charges, and without compensation from the city; and offered good and sufficient security, in any amount, for the faithful performance of the contract if they would make it with me. I then went before a Committee of the Board of Aldermen, in company with Mr. William Menck, and found there Mr. Nathaniel Wood and other applicants for the contract; Aldermen Sturtevant and Oakley were present of said Committee. Some questions were asked of Mr. Wood, but the Committee did not seem to pay much attention to any of the applicants, and I believe the matter was all settled before hand. The Committee met after four o'clock and continued in session a short time—about twenty minutes or half an hour. From the committee-room the Aldermen went to the Board of Aldermen, which commenced its session. In less than an hour Alderman Sturtevant presented a very long report, which recommended a concurrence with an ordinance which had passed the Board of Assistants, directing the City Inspector to make a contract with William B. Reynolds, for removing the dead animals, butchers' offal and blood, for a period of five years. Which ordinance or resolution was passed by the Board of Aldermen, and the contract was accordingly made by the City Inspector, Alfred W. White, with the said William B. Reynolds, which contract I have seen. Before that a contract had been made with Baxter, Brady, Lent & Co., at

a much less sum than the allowance made to Reynolds. My offer was intended to embrace not only the removal of the dead animals, offal, blood, &c., from the streets of the city, but to transport and carry them from and out of the limits of the city. At the time I made the said offer to the Board of Aldermen, as aforesaid, I made it in good faith, and was anxious to obtain the contract upon the terms proposed by me; and did then believe, and do now believe, that the animals, offal and blood, would give me a remunerative compensation for the labor and expense of their removal; I had some experience during the cholera season of 1849, and made, out of dead animals removed by myself and partner, Mr. Fruth, to a place called Caven Point, in the bay of New York, which place I then owned, in about three months, some five hundred dollars clear profit beyond all my expenses and cost; during the last summer, some of my men were arrested and imprisoned by the Corporation Attorney, for the violation of an ordinance that had passed, preventing any other person than the said Reynolds, or persons employed by him, from removing or transporting bones, dead animals, or offal, from the city; I would give the city fifty thousand dollars per annum for the exclusive privilege of taking away all the dead animals, bones, butchers' offal and blood, if such exclusive right could be guaranteed to me. The said Reynolds has a bone-boiling establishment at Barren Island, and takes the dead animals, offal and bones there; he keeps a large number of hogs there; he had there last winter two or three thousand; the butchers offal and dead animals are used for feeding his hogs; that which he does not use there he sells to farmers and others. The said Reynolds has a boat at the foot of Fortieth street, on the

North river, for the purpose of receiving the blood and offal, the blood from which I have seen both day and night dumped therefrom into the river alongside the dock; but since last summer the boat has remained permanently there, and nothing has been carried away in said boat, or in any other boat receiving the contents of this boat, to the best of my knowledge and belief; and for the last five or six months the said boat has not been used for receiving any thing. There is one man employed to take care of the boat, who has little or nothing to do; he remains there in the day time and goes home at night; I should judge this man's age to be about sixty.

JOHN GREEN.

Sworn before me, this 26th }
day of March, 1853. }

F. R. TILLOU, *Recorder.*

(No. 5.)

CITY AND COUNTY OF NEW YORK, ss.—William C. Lent, being duly sworn, deposes and says as follows:

I reside on the Third avenue, near Twenty-eighth street. I am stage superintendent. I was engaged in the manure business in 1849 and beginning of 1850. In the spring of 1850, Dr. White, the City Inspector, sent me notice to cease dumping manure on the corner of Thirty-third street and Tenth avenue, on the ground that the same was a nuisance to the neighborhood. I called on Dr. White to know whether he meant to prevent manure being dumped in the city at all, or to drive those doing it out of the city entirely. He told he he did. I then told him if such was his intention it would be best to get a place out

of the bounds of the city to concentrate the whole of that business. He approved of it, and told me to find a place. At this time he was making strong efforts to remove the bone-boiling business from the city also. I suggested to him then that it would be well to have all that kind of business, viz., bone-boiling, removing offal, dead animals, in one place. He reflected a moment, and said to me there is the greatest chance for a fortune I ever saw. He told me to select some spot and to report to him. I made the effort, but was not successful. Dr. White then told me to associate myself with someone and continue my efforts. I then associated myself with John Brady, and we together were unsuccessful in finding a place. We would report to Dr. White from day to day in relation to our success. He advised us to find another associate. We then got Wm. L. Baxter to join us. We three together then went to the office of Dr. White, and told him we thought we had found a place. We retired to his private office in the back room, and informed him where the place was. Dr. White told us to go on with the business, and although he did not wish to be known in the business, yet he would lend his official influence, and share with us the profits, and contribute to any loss that might be sustained. We told him we had selected the south corner of Ward's Island. Dr. White went with us to view the place. On examination we found it would not answer. The next day, or a day or two afterward, we purchased the island in the East river, called South Brother, or Eaton's Island. About this time Dr. White suggested to us that we should take in with us Heman W. Childs, the Commissioner of Streets and Lamps, who was to use his official influence to our advantage. We thought favorably of it, as he had control of

the markets, and could aid us materially. We accordingly took him in with us. Dr. White, after this, introduced to us James D. Morgan, to become interested in the business. We six then formed a co-partnership under the firm of Baxter, Brady, Lent & Co., composed of William L. Baxter, John Brady, William C. Lent, James D. Morgan, and the other two were to be silent partners and not known—they were Dr. White and Heman W. Childs. We then commenced our business, and continued until September, when one of the firm becoming dissatisfied, obtained an injunction to stop our business. About the same time some of the inhabitants of Queens county also obtained an injunction against us on the ground that the use of the island, South Brother, for our purposes, was a nuisance to the residents of Astoria and other places in the vicinity. We ceased our business on the island in consequence. During the time we were allowed to pursue our business, it was very profitable to us; we were making, I should think, about one hundred dollars a day, although we were paying liberally for bones, dead horses and dead cows. We paid ten shillings a-piece for the horses; and, I think, a dollar and a half for the cows. After discontinuing at this place, we leased Barren Island, though I don't know in whose name it was taken. I never saw the ease. About this time the Corporation advertised to have the offal, blood, &c., removed from the city, by contract; our firm applied for it. It was given to Stephen Coles, a nephew of John Brady, who was a minor, and in fact under our control. It was suggested by Dr. White that we should have some person put in low enough to secure the contract for our firm. This contract was then assigned by Coles to John Brady, William C. Lent,

and James D. Morgan. It being understood that Dr. White and Mr. Childs, the silent partners, were to retain the same interest in this contract as in the former business. By this contract we were to receive nineteen dollars a day to remove the blood and offal from the city. We had scows, sloops and a steamboat to carry these articles away from the city. Our depot was at the foot of Twenty-third street, East river. The butchers brought the offal to us, which we received on board the scows, and the blood was emptied into the river, at the end of the dock. The offal was removed by the boats or scows, at least once a day. The dead animals were not included in this contract, and we continued to pay for them as before. While the assignment of the contract of Coles was still vested in us, it was assigned again by Coles to William B. Reynolds. I think it was about ten days after the assignment to us. I saw this assignment in the office of Dr. White. After the assignment to Reynolds, Dr. White would no longer recognize us as having any thing to do with the contract, but recognized Reynolds in the business, and we ceased having any thing further to do with it. Before the Coles contract from the city, it was agreed by our firm that each member of it should put in one thousand dollars—Dr. White and Mr. Childs each paid their sum. A short time before the present contract for removing offal, &c., was given to William B. Reynolds, I was present at a meeting of the Committee on Public Health, of which Alderman Sturtevant was a member. Mr. Green at that meeting offered to remove all dead animals and offal from the city at his own expense, without any charge to the city, and offered good security to carry the same into effect. I think Mr. Garrison made a proposition to

do it for about the same ; other persons present also offered to do it for a mere nominal sum. Reynolds was not present at this meeting, but I heard Alderman Sturtevant, or some one present, say that Reynolds offered to remove the animals, offal, &c., for thirty thousand dollars a year. A few days after this I heard that Reynolds obtained the contract.

WM. C. LENT.

Sworn before me this 21st }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 6.)

CITY AND COUNTY OF NEW YORK, ss:—William L. Baxter, being duly affirmed, says as follows: I reside in Manhasset, Queen's county; I am a farmer; in the spring of 1850 I was engaged in the freighting of manure, of the various kinds, from this city, and at that time owned four vessels, which were used for that purpose; Dr. Alfred W. White, the City Inspector, who was then a stranger to me, sent for me, through William C. Lent, to call at his office; I called and saw Dr. White, who then proposed that several of us should form an association, the business of which, in the course of four or five years, would make us all independent; his own words were, we could make a hundred thousand dollars each, during his term of office. At this meeting several names were proposed by Dr. White, viz: Abraham Brown, of the firm of Kipp & Brown, Andrew Cronck Walter Cunningham and Michael Dough-

erty, who, he suggested, I should call on, as persons likely to enter into the arrangement with me. Dr. White, on this occasion, stated, that he had the city government under his thumb and control, in regard to the nuisances, and went on to state, that there had been a number of complaints against the bone-boiling establishments, and that there would be more; and then referred to a recent act of the legislature, conferring extraordinary powers upon him, in relation to nuisances, and that the complaints would be made to him, or to a board of inspectors, upon whose report that a place was a nuisance, then he had full power to order it to be removed. At this same interview, he said to us, that this arrangement was to be in confidence, between myself, Mr. Lent, and himself; that his name must not be known in connection with it, but to be kept sacred; that it would not do for it to be known, as an officer of the city government. He requested me then to call, in a few days, and report to him, how I succeeded in procuring persons to join; I called on Brown and Dougherty, two of the persons he named, and I think I called on John Brady, with Mr. Lent; Mr. Brady consented to be one; Mr. Brown spoke favorably of it, but on account of his business declined; I called upon Dougherty, but not thinking favorably of him did not urge him, and he did not appear to care much about it. At the next interview with Dr. White, he mentioned the name of Heman W. Childs, as one of the persons to join us; Mr. Childs was then Inspector of Streets, Markets and Lamps, as I believe, and it was mentioned by Dr. White, he could facilitate our operations, in regard to several things under his charge. It then became necessary to find a suitable place out of the city to deposit the garbage, manure, bones, &c., which we

expected to take charge of under this arrangement. Ward's Island was named as a suitable place; several of us went to see the place, among them were, I think, Mr. Lent, Mr. Brady and myself; Dr. White went with us, under the assumed name of John Green, and gave, as a reason, that he did not wish to be known as the City Inspector, on this occasion; we found we could not obtain any place there. After searching for various places, sometimes myself, and sometimes Mr. Lent would go, and sometimes Brady, Lent and myself together, would go; at length I found the South Brother Island, which was bought by me, for three thousand two hundred and fifty dollars; this was, finally, agreed upon as the place. About this time, and before this island was actually purchased, I called on Heman W. Childs, and informed him of Dr. White's proposition, in respect to himself; he said at once, as though he understood the matter, it was just what he would like to go into secretly, as his name must not be known in connection with it, as he held an office under the city government; he said, that is the way to make a fortune, and that is the way we do up things here. James D. Morgan was then named by Dr. White, as another party, and as a moneyed man. After this, another meeting was held in the usual place, the private office of Dr. White, in the City Inspector's department; there were present, Dr. White, Mr. Childs, Mr. Lent, Mr. Brady, Mr. Morgan and myself. The business was then talked over, and plans for our association were discussed. A difficulty was suggested by Dr. White and Mr. Childs, as to how articles of copartnership could be prepared, without having their names appear publicly. It was agreed, however, at this meeting, that the above six persons should form the association, and it

was understood, that Mr. Morgan and myself should consult a lawyer, as to the preparation of the articles of association, so as to avoid the difficulty suggested; we accordingly consulted Thomas C. Pinckney, Esq., who, after some deliberation, prepared the articles, and had six seals affixed for the signatures. Whilst Mr. Pinckney had the preparation of the articles under consideration, we had several meetings at the private room of the City Inspector's office; Dr. White and Mr. Childs suggested that we had better find some more private place for meeting, as they feared the objects might be mistrusted; we then met several times, at the North American Hotel, Mr. Childs and Dr. White generally entering and leaving at the private entrance; we had private rooms, and met with doors locked. At our various meetings, Mr. Childs took the most active part, and made the most suggestions; we then determined upon our business. We were to remove from the city, at our own expense, furnishing our own horses and carts, our own boats and men, all manures, dead animals, offal, bones, garbage, &c., or whatever else was ordered to be removed by the city ordinances; we had no exclusive privilege, it was open to competition; we paid from a dollar to one dollar and a quarter for each dead horse, delivered at Thirty-fourth street, East river; the same for cows; we paid for bones various prices; we also paid for garbage, principally from hotels, and paid something for manures; we found it a profitable business. The articles of agreement above referred to, were signed by myself and James D. Morgan, on the 28th of May, 1850; the articles were not signed by either Mr. Childs or Dr. White, or by Brady or Lent; the excuse given by Mr. Childs and Dr. White, for not signing, was, that Brady

and Lent had not paid their thousand dollars, which each member of the association was required to put in; that as soon as they put in their sums they would sign. Dr. White and Mr. Childs each put in one thousand dollars, as their proportion of the fund for the association, as recommended by Mr. Childs; we after this commenced our operations, and continued until about the 3d of September, when I withdrew, and obtained an injunction to stop them, in consequence of the place of deposit, South Brother Island, having become a nuisance to the neighboring places. My connection with the association then ceased. From the knowledge I have of the business, if I could have the exclusive privilege which Mr. Reynolds has, of removing animal substances, &c., from the city, I would gladly give fifty thousand dollars per annum for the right, and pay all the expenses of their removal. From information which I have received, and which I believe to be true, I believe, that each dead horse would yield sixteen dollars, clear profit; there is a great deal of fat coming from horses, which brings from seven to eight cents per pound. The garbage, collected from the city, would feed, at least, five thousand hogs, and each hog would yield a net profit of five dollars. The bone dust is valuable, and I have paid three dollars per barrel, and ground bone at a less price; and for burnt bone I have been offered one hundred and thirty-seven dollars per ton, for exportation. All these bone factories are very valuable, and, if properly conducted, yield a large profit.

WILLIAM L. BAXTER.

Affirmed, before me, this 23d }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 7.)

CITY AND COUNTY OF NEW YORK, ss.—Thomas K. Downing, being duly sworn, deposes and says as follows: I am City Inspector. William B. Reynolds performs the duty of removing dead animals, butchers' blood and offal. He removes the offal and butchers' blood from all the slaughter houses where it is desired to be done; he takes it from the slaughter houses to Thirty-fourth street, East river, and Fortieth street, North river, and from thence to Barren Island, I believe, in boats. He removes the blood and offal in tight square boxes from slaughter houses; the blood and offal, I believe, is put in one box; where they would slaughter hogs, the offal, and blood, and hair would come in square box carts. I know of my own knowledge that the blood and offal would be removed this way from slaughter houses; I have seen it myself; I have seen them take out of slaughter houses in the First avenue; the names of the butchers I don't know; these slaughter houses were somewhere near Fifth street. About three weeks ago I saw this as I was casually passing by. I have never seen them carried away at other slaughter houses, but I have seen the trucks standing before the doors of slaughter houses on First street, between First and Second avenues, and also, on one occasion on the north side of the city, the particular place I don't remember. On all these occasions I was passing by casually. I do not know how often the steamboat removed the dead animals, offal, &c; she should go every day. No steamboat ever went to the North river side to my knowledge. John Cornell, the inspector on the pier at Thirty-fourth street, informs me

that the steamboat carries off the offal from that place every day. I have no personal knowledge of its going every day. I don't know that the butchers were or are dumping the blood into the river; I was not aware of the fact that the butchers' offal has been dumped into the river; there is no specific charge for the use of a steamboat in Mr. Reynolds' bills since I have been at the head of the Department; the only means I have of knowing the number of dead horses and cows contained in the bill of Mr. Reynolds, is correct, is from the oath of Mr. Cornell, the inspector appointed by me; he renders no daily account, but only a monthly account. The dead animals all go to Thirty-fourth street, East river. The charge per month for removing blood and offal is fixed at fifteen hundred dollars per month, by contract. The inspector for butchers' blood and offal is Thomas Comstock; he is appointed by me. I don't know of any soap-boilers' establishments from which Mr. Reynolds removes nuisances. It is his duty to do so. I don't know from what places he removes any fish offal. I have a box in my office for the reception of complaints for the removal of garbage, dead animals, &c., which Reynolds' men come and take away for the purpose of attending to; there are similar boxes in the various station houses; it is the duty of the Health Wardens, who discover any dead animals any where in the city, to place a similar notice in the box in my office. I don't know whether Mr. Reynolds has used any lime for the months of May or June. Mr. Comstock's duty is to superintend the removal of the blood and offal from the slaughter houses. Mr. John R. Miller was formerly, but is not now, the superintendent of the blood dock at Thirty-fourth street, East river; Mr. Francis Darling is the inspector at

the dock at Fortieth street, North river. If I had known that the butchers' blood was dumped into the river, I would have stopped it, and would not have certified the bill for the removal of the same. Since my election as City Inspector, I have been twice to Barren Island. In the charge in the bills of Mr. Reynolds for May and June for soap-boilers' nuisances, fish, offal, garbage, bones, dead dogs, cats, lime, &c., of one thousand six hundred and twenty-one dollars, is a monthly charge, and composed of charges under the contract, for removing soap-boilers' nuisances, fish, offal, &c., six hundred dollars; for removing garbage from hotels, &c., four hundred dollars; for collecting and removing bones, &c., from the streets, &c., four hundred and ninety dollars; for removing dead dogs, cats, &c., one hundred dollars; and for lime for disinfecting, thirty dollars. The charge of one thousand and twenty-six dollars in the bill of June, 1853, is for taking away and removing from the docks out of the limits of the city, dead animals, offal, blood, &c., and that charge includes Sundays, as well as every other day in the year. I don't know how many carts Mr. Reynolds employs in this business, but can make an estimate. There are some bone-boiling establishments now in the city, in the Nineteenth and Twelfth Wards, that have been reported to me by citizens and Health Wardens. John Vanderbeck has reported bone-boiling establishments, but I don't remember where. When I made my report to the Common Council, under date of 18th May last, I supposed Mr. Reynolds had complied with his contract, as I had no complaint to the contrary. I have not licensed any carts, wagons or other vehicles, for the purpose of removing butchers' blood, dead animals, offal, &c., or I would have

known how many there were; I have had no application for licensing any. I don't know how the garbage and stuff from the markets is removed; that, I believe, comes under the Department of the Commissioner of Streets and Lamps, and is, I suppose, an expense coming under that department. I don't know of any hotels from which Mr. Reynolds removes garbage of my own knowledge. I have seen garbage in large quantities on board his boats.

THOMAS K. DOWNING.

Sworn before me, this 29th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

CITY AND COUNTY OF NEW YORK, ss.—Thomas K. Downing, being duly sworn, deposes and says as follows: I am City Inspector, and commenced the duties of the office the 3d day of January last. On taking possession of the office, my predecessor, Dr. White, did not deliver any books or papers or accounts, showing a detailed statement of the disbursements or receipts of moneys in said office, nor any books except one, purporting to be an account of lien work; and I verily believe Dr. White removed from the office all the books showing the receipts or disbursements of the department; and I believe the same must now be under his control, if he kept any such books.

THOMAS K. DOWNING.

Sworn before me, this 7th }
day of September, 1853. }

F. R. TILLOU, *Recorder.*

(No. 8.)

CITY AND COUNTY OF NEW YORK, ss.—William H. Knapp, being duly sworn, deposes and says as follows:

I reside at No. 74 Suffolk street; am an agent for real estate. About two years ago, but the exact time I cannot remember now, I was one day in the office of Dr. White, when he was City Inspector, to see him on business. I found him engaged in the private office, in the back room, with Captain William L. Baxter, John Brady and William C. Lent and others, I believe Mr. Morgan among them. The door was ajar; I pulled it open to speak with Dr. White, but finding him engaged, I retired; but before retiring, I heard Dr. White say, "You know, gentlemen, that I am a partner with you; but it must not be known, as I am in public business; if it were, it would ruin me. You can go on, but you must keep it still; nobody must know any thing about it, and we can make money or make a fortune," I am not certain which expression he used. The above is the substance of what I heard; I did not hear any reply made by the others; they were in close and low conversation when I retired; the expressions of Dr. White were used the moment I went in the door, and before he was aware of my presence. I saw Mr. William B. Reynolds about two weeks ago, at No. 8 Centre street, and had a conversation with him on the subject of his contract; I mentioned to him that the investigating Committee were about investigating the matter, and he invited me to come to his office; I told him that one of the parties had tried to bribe me, and offered fifty dollars cash down and fifty dollars after the trial was over; I alluded to the parties in a civil suit, in which White & Childs were parties on one side, and Baxter, Brady, Lent & Co. on the other. Mr. Pease was the person who offered me the bribe; he was the clerk in Heman W. Childs' office, Commissioner of Lamps and Streets. That is all the conversation I can

recollect with Mr. Reynolds at that time; I have not seen him since, to speak with him; there might have been other conversation, but I don't recollect it.

W. H. KNAPP.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

(No. 9.)

CITY AND COUNTY OF NEW YORK, ss.—Thomas C. Pinckney, being duly sworn, deposes and says as follows:

I reside in the city of Brooklyn; I am a lawyer. Sometime in the spring of 1850, or the beginning of the summer, I think, I was applied to by Capt. William L. Baxter, to know whether an association could be formed, in which the names of some of the partners could be kept secret, and I was soon afterward called upon in reference to the same subject, by Mr. Lent, Mr. Brady and Mr. Morgan. I had given an opinion, either before or after these gentlemen called, that such an association could not be formed under the statute, for the purposes they seemed to have in view. I was then requested to draw up articles of copartnership, which I did; they were engrossed, and taken or sent away, for the purpose of being executed; there were blanks left in the instrument for two additional names, and six seals affixed, in all, to the best of my recollection; the two names of the secret partners I learned in some way, but don't now remember, how, were to be Col. Heman W. Childs and Dr. White. My son, J. H. Hobart Pinckney, engrossed the articles of copartnership, and, I think, affixed the seals.

THOS. C. PINCKNEY.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

CITY AND COUNTY OF NEW YORK, ss.—John Henry H. Pinckney, being duly sworn, deposes and says as follows:

I reside in Brooklyn; I am a lawyer; I was a clerk in the office of my father, Thomas C. Pinckney, in the fore part of 1850, when the articles of copartnership of the firm of Baxter, Brady, Lent & Co. were drafted by my father; I engrossed the said articles from the said draft. The reason that they determined to have it a copartnership, instead of an association under the statute, was that there were two of the partners whose names were not to appear; there was a blank left in the agreement for the insertion of other names; there were also other seals attached, besides those of the four. In September, of that year, I was present at a conversation between my father and Col. Heman W. Childs; they were talking about the business of Baxter, Brady, Lent & Co., and endeavoring to compromise a suit which had been commenced. I heard my father say, "You know, Col. Childs, you are a partner, and we can prove it;" to which Col. Childs replied, "I know it, but that is no reason why I should pay the expenses in this matter." That is about the substance of the language used in reference to the matter; I recollect this because, after Col. Childs left, my father said, "recollect that; it may be important."

J. H. HOBART PINCKNEY.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder*.

(No. 10.)

CITY AND COUNTY OF NEW YORK, ss.—Bernard H. Romans, being duly sworn, deposes and says as follows:

I reside at No. 68 Murray street; I am not engaged in any particular business now; I was First Clerk under Dr. White, late City Inspector, and continued as a clerk in that department until February last; I was clerk with Dr. White when the first contract was made by him for removing offal, &c., from the city; there were proposals sent in for that contract; the lowest proposal came from a man who signed his name Steven Cole; I never saw him in the office, and did not know who he was; the contract was given to him, as I understood, and immediately afterward assigned to William B. Reynolds; Reynolds went on after that, performing the contract, and made regular returns to the department; I made the entries in the books from Mr. Reynolds' returns, and he was paid in pursuance of them. An ordinance was afterward made, as I understood, authorizing Dr. White to make a new contract with Reynolds, which he did.

B. H. ROMANS.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

(No. 11.)

RESIDENTS AND OWNERS IN THE NEIGHBORHOOD OF THE
DUMPING-GROUND.

CITY AND COUNTY OF NEW YORK, ss:—Douw D. Williamson being duly sworn, deposes and says, as follows:—I reside at No. 82 Macdougall street; I am President of the Farmers' Loan and Trust Company; the Farmers' Loan and Trust Company owned the land between Thirty-first

and Thirty-sixth streets, Second avenue and the East river; two years ago, when the scow for the reception of offal, &c., was placed at the pier between Thirty-fourth and Thirty-fifth streets, East river; which, proving a very great nuisance to persons doing business in the neighborhood and preventing them from doing business there; I, as President of the Farmers' Loan and Trust Company, complained to the City Inspector, Dr. White, with the view to have the scow removed; he entirely and positively refused to do so. I then complained to the Mayor, A. C. Kingsland Esq., who also refused to remove it, and placed a police force to protect it from being disturbed by the inhabitants of the neighborhood. I then sent a remonstrance to the Board of Health, which was also disregarded, and the scow has remained there ever since, until recently; she was burnt up, as I learn. The occupation of the said pier, by the said scow, was a great pecuniary injury to the Farmers' Trust Company, as the company could not collect wharfage, which they would have collected, had the scow not been there. The offal, in its process of being removed in the carts through the streets to the scow was very offensive, so much so, that I could not go near it, which would not have been the case had the offal been fresh from the slaughter-houses. I have also seen animals in a state of decomposition put on board the scow, which was extremely offensive, they having been left where they died a longer time than they should have been, and which would not have been the case had they been promptly removed.

D. D. WILLIAMSON.

Sworn, before me, this 24th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 12.)

CITY AND COUNTY OF NEW YORK, *ss.*:—Joseph F. Gilman being duly sworn, deposes and says, as follows:—I reside in Thirty-fifth street, between First and Second avenues, East river; I am a builder, of the firm of Gilman & Whitney; the pier for the reception of dead animals, blood, offal, &c., is situated at the foot of Thirty-fourth street; the place is a very great nuisance, and is almost unendurable; so much so, that unless it is taken away, I cannot remain there; these animals and offal are placed on board the boat, and are not taken away immediately, but are suffered to remain on board a long time, which causes a great smell; the boat I saw there last night; and the smell from it was very offensive at my house, and when I left home this morning at half-past 11 o'clock, and the boat was still there; when I saw her last night, she had a large number of dead animals on board; and one great reason that produces this nuisance is, that the animals and offals are allowed to remain too long.

JOSEPH F. GILMAN.

Sworn, before me, this 29th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 13.)

CITY AND COUNTY OF NEW YORK, *ss.*:—John Burns being duly sworn, deposes and says, as follows:—I reside, No. 211 Thirty-third street, East river; I am engaged in the business of receiving wharfage, and improving the property of the Farmers' Loan and Trust Company, who own property from Thirty-first to Thirty-sixth street, Second avenue to the East river; the pier which is now occu-

pied for the reception of offal, dead animals, &c.; is situated on part of the above property at the foot of Thirty-fourth street; it has been used for the above purpose, next August will be two years; my residence is about 300 or 400 feet from this pier, and I have a perfect view of it from my window; constantly I see daily dead animals brought to this pier, and they are almost always, horses especially, in a state of putrefaction before they are deposited there; they were received on board a scow until about two weeks ago, when she was burnt; the animals would be allowed to remain on the scow two or three days before the steamboat or schooner would come to receive them; they would become very offensive; so much so that it would be almost impossible to approach near them when the wind would blow toward the shore, especially when the weather would be a little warm; I have frequently seen these animals covered with worms; the offal brought there by the butchers' wagons was still more offensive than the animals, as it was most generally in a putrid state, alive with maggots before taken from the slaughter-houses; the offal was deposited in boxes standing on the pier, and when they were full would be removed to the scow awaiting the arrival of the steamer; the steamer would sometimes remain for two or three days, until she would have a large load; the way this business is conducted is of great disadvantage to the neighborhood, and very prejudicial to the health of the inhabitants and workmen about the docks. Captains of vessels and others having business at the wharves in the neighborhood, have daily complained to me about it; I know many houses in the vicinity which cannot be tenanted, in consequence of the smell arising from these deposits; there are now from fifteen to twenty-five houses in that

neighborhood unoccupied, and I believe from that cause; the stench being so great that the women will not live there; whilst the scow was there, before being burnt, the steamer did not come every day, but after getting a load, would be gone sometimes two and sometimes three days before she would return; and during those absences, I have heard the captain say, he had been away delivering grease and other things, to Jersey and other places. The blood brought there was usually dumped in the river.

JOHN BURNS.

Sworn, before me, this 29th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 14.)

CITY AND COUNTY OF NEW YORK, ss:—Merwin N. Whitney being duly sworn, deposes and says, as follows: I reside No. 203 Thirty-fifth street; I am a builder, of the firm of Gilman & Whitney; we own four houses in Thirty-fifth street, Nos. 147, 149, 201 and 203, they are all untenanted except Nos. 201 and 203, which are occupied by my partner and myself; the buildings are all new and have been finished since April; I know the place which is occupied for the reception of offal and dead animals, at the foot of Thirty-fourth street, East river; it is about a half a block from my residence; it is a great nuisance to the neighborhood, so much so, that we are compelled to close our windows and sprinkle camphor to keep the stench out. Tenants cannot be procured for the two houses above spoken of in consequence, and I shall be com-

pelled to remove myself unless the nuisance is removed. I have been frequently made sick by the stench arising from the deposits of offal, &c., so that I have vomited several times, and I have known others to be similarly affected in consequence; I have frequently observed the carts conveying the offal to the place, and it was then in a putrid state. I have seen the steamboat come to the pier at about six o'clock in the evening, when they began to load the vessel with offal, &c., she would remain all night, and I have seen her continue there as late as 11 o'clock the next day, with dead carcasses exposed on the deck; the smell from them was very offensive; I have frequently gone round the block to avoid the stench; one great cause of the nuisance is, that the boats remain so long with the offal and carcasses on board without going immediately off as soon as it is delivered. The way in which this business is conducted is a very great nuisance, and injurious to the health and interests of the occupants and property holders in the neighborhood. The neighbors have been in the habit of going down in the night, at different hours, to see if the boat still lay there, because the stench was so great it was unendurable, and they have found her there, and found her still there in the morning; when I said that I have known her there as late as 11 o'clock in the day, I do not mean that she went away at that hour; I meant that I saw her at that hour lying at the dock, how much longer she remained I do not know. The animals were then remaining on the deck exposed to the sun, this was on Wednesday last, the 29th June.

MERWIN N. WHITNEY.

Sworn before me this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

(No. 15.)

CITY AND COUNTY OF NEW YORK, ss:—Uel Reynolds being duly sworn, deposes and says as follows: I reside No. 122 Second Street; I have been a builder for the last two years. I own some houses and lots in company with my partner, Gideon Fountain, on the First avenue, from Thirty-second to Thirty-third street, and on Thirty-third street west of the First avenue. The pier at which dead animals and offal is brought, is at the foot of Thirty-fourth street, East river, about 300 feet from my property; dead animals are brought to that pier in carts and wagons, and the offal and blood is brought in boxes or barrels; the dead animals are placed on the deck of the vessels and when the wind is in our direction the effluvia arising from them is very offensive; the workmen in the neighborhood have often complained of the offensiveness created by the dead animals and offal being allowed to remain there. The manner in which this business is managed is a very great nuisance to the neighborhood, and highly prejudicial to the health of the inhabitants, especially in warm weather. I have frequently observed when the carts were passing with the offal, that the smell was very offensive, and the offal could not have been taken fresh from the slaughter-houses.

UEL REYNOLDS.

Sworn before me, this 29th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 16.)

CITY AND COUNTY OF NEW YORK, ss.—Jacob Miller, being duly sworn, deposes and says as follows: I reside at No. 301 Fifth street; I am a lumber merchant; I have a partner, and we have two lumber yards in the city; one of them is on Thirty-fifth and Thirty-sixth streets, commencing one hundred feet from First avenue. The pier at which the dead animals and offal are received, is at the foot of Thirty-fourth street, a little north. East river runs about four hundred feet from our yard. Dead animals are brought to the foot of that pier on carts and wagons, and butchers' offal and blood in boxes. The dead animals are put in vessels, but are suffered to remain there certainly for one or two days, and perhaps more. They are in a bad state when they come there, and become much more so from remaining until the whole atmosphere is affected by the effluvia, and becomes offensive and dangerous to health. The smell can be perceived for blocks around; I have seen the boxes containing offal and blood standing there continually, and sometimes open. I saw there this morning as many, I think as thirty or forty, and I have seen the same number almost continually there. The smell from them is very offensive. Up to about two weeks ago, there was an old scow there, in which the animals and offal were deposited. She remained there, and the contents were transferred to a steamer which carried them away. The steamer would remain for one or two days or more until she would have a sufficient load. For the last two weeks the scow has been taken away, and the dead animals are now put directly on board the steamer or schooner. What becomes of the boxes and their contents I don't know, as they appear to me to remain there tho

whole time, as the effluvia continues to remain the whole time. The steamer or schooner will often remain for one or two days, receiving the animals as they are brought there, and until their load is completed, and whilst remaining there, the effluvia from them is very offensive. The way in which the business is conducted, makes it a nuisance of an aggravated character, and unless changed, will have the tendency to drive all business from that neighborhood, as well as being injurious to the public health. The offals when first brought down are in an offensive state, and could not have been taken fresh from the slaughter houses; and the dead animals are often in a state of putrefaction when first brought to the pier.

JACOB MILLER.

Sworn before me this 28th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 17.)

CITY AND COUNTY OF NEW YORK, ss:—Thomas Miller, being duly sworn, deposes and says as follows: I reside on the corner of Thirty-fifth street and Eleventh avenue; I am a contractor for streets and avenues. From early in the year 1852 to the early part of the present year, I have been in the daily habit of being in the neighborhood of the foot of Thirty-ninth street, where the boat for the reception of offal, &c., lay. My business (the horse and manure business) required my presence at the depot for the manure, situated between Thirty-ninth and Fortieth streets, and between Eleventh and Twelfth avenues. I was there many days from morning till night, and at other times would be there off and on most of the day. My attention was called to the offal boat by Mr. McClelland,

who resides very near the place where she lay, who told me the boat had never been a hundred feet from the dock, except when she was removed to the foot of Fortieth street. After this I paid more attention to it, and I never saw any steamboat or other boat come to where she lay to remove any thing from her; and never saw the boat itself taken off by any other boat. She could not be taken away except by being towed. If any steamboat or other boat had come along side to remove the boat itself or its contents I must have known it, either from personal observation or from conversations in the neighborhood, as it was the subject of much conversation. After I was subpoenaed to appear here, I mentioned the fact to Thomas Harper, who resides on the Eleventh avenue, between Thirty-sixth and Thirty-seventh streets, west side. He asked me what it related to, and I told him I supposed it was about the offal contract. He then said, has it any thing to do with the old boat lying at the foot of Fortieth street? He said that about this time last year, whilst he was taking up some timber near where the boat lay, the offal floating about there caused such a stench that he was hardly able to stay there, and that they had a false bottom to the boat. I asked him if he saw it; he said, yes; the Dutchman who has charge of the boat appeared to pull a string, or move something, then something gave way, and the offal slushed right out into the river.

THOMAS MILLER.

Sworn before me this 21st }
day of June, 1853. }

R. F. TILLOU, *Recorder.*

(No. 18.)

CITY AND COUNTY OF NEW YORK, ss.—Thomas Harper, being duly sworn, deposes and says as follows:

I reside in Eleventh avenue, between Thirty-sixth and Thirty-seventh streets; I am foreman on Campbell & Moody's saw mill. About a year ago, I was employed drawing lumber for Mr. Phillips, from the Thirty-ninth street dock, North river, to the yard on the Eleventh avenue, between Thirty-eighth and Thirty-ninth streets. There was a seow, at that time, lying at the wharf; I have seen carts come down there and dump over the string-piece the contents of their carts, but whether it went into the boat or into the river, I am unable to say; but I soon after saw offal floating about, which led me to believe that it was dumped immediately into the river, or that the boat had some sort of arrangement by which the offal was let into the river immediately after it was dumped; I am unable to say which. The smell was very offensive, and so much so, that I was obliged many times to leave the dock in consequence. I was engaged on that dock, off and on, for upward of two months, and my business carried me there from early in the morning until late in the afternoon, down to night; during the whole of that period, I never saw any steam, or other boat, come to take the contents of that seow from it, or remove that seow from the place where she lay.

THOMAS HARPER.

Sworn before me, this 22d }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 19.)

CITY AND COUNTY OF NEW YORK, ss.—Thomas McClelland, being duly sworn, deposes and says as follows:

I reside in Thirty-ninth street, near the North river; I keep a grocery and liquor store there; I have resided in this place since a year ago last November. At the time I came there, there was a sloop lying at the Thirty-ninth street pier, for the reception of offal, as I understood. In the spring following, a canal boat was brought there, and at said pier, near the sloop, which was sunk in about a month afterward; the sloop was raised and sold and taken away; Riddle had offered to sell her to me for thirty dollars; the canal boat continued to lay there, a roof having been built over it, on the deck. During the day the carts of butchers came, with offal and blood, and dumped it on the house on the deck of the canal boat, and at night the two men belonging to this boat, would throw it off the boat into the river; I have seen the offal floating in the river, and the smell from them was very offensive in the neighborhood; I have seen putrified offals on my own float, in the neighborhood of the canal boat; it was so offensive that persons would not go near it. There were two men employed; there was one, a Dutchman, who could speak no English, and the other was an Irishman; I spoke to the latter about throwing these offal in the river, and he said he could not help it, as he was bound to please his employers. The boat remained at this place until the pier at the foot of Fortieth street was built, which was about a year ago, when the boat was removed to that place. During this time, the canal boat remained at the

foot of Thirty-ninth street; her position was never changed, and I never saw any steamboat or any other boat come to take the offal from it. After the boat was removed to the foot of Fortieth street, I continued to see her every day; for a month or so after this, they continued as they had done at the foot of Thirty-ninth street, to receive the offal in the boat, and at night to throw it over into the river; then the Irishman was taken away from there, and the Dutchman left alone in charge; then the carts of the butchers would come down, bringing their offals in barrels, back their carts to the string-piece, and dump the contents of the barrels at once into the river, without putting any of it into the boat; I have seen six or eight carts there at one time, and the river covered with floating offal and blood, carried up and down with the tide. This practice continued until about a week ago, when, for the first time, I saw a two-horse wagon come, having boxes on it; these boxes were empty, and were left on the dock, into which the butchers' carts would dump their offals; these boxes, when full, would be carried away, where, I do not know; I have not, at any time, seen a boat of any description come to take these boxes away; I live so near that if a boat had come I must have seen it. My house is within two hundred and sixty feet of the pier where the boat lays, which is right in front of my door, so that I could see every thing that passes. Until about a week ago, these offals were very offensive to the neighborhood; the blood has continued, up to the present time, to be thrown into the river, and even this morning I have seen offals floating in the river, close up to my float, near the dock. The Dutchman, who has charge of the boat, was very little there until within the last week, as the

boxes now give him more work to do; I have seen the offals dumped in the river, in the way I have described, in the presenee of the Dutelman, many a time, and he made no objections. I have, for the last two months, seen Mr. Riddle very little there, but during the last summer I have seen him there very frequently; he would come and stay a little while, and then go away. The way in which the depositing of the offal is managed, is a great nuisance to the neighborhood, rendering it almost impossible to live there; we have been compelled, very often, to take poles and push the floating offals away, so that they might be earried away with the tide. I have never seen any dead animals delivered there.

THOMAS McCLELLAND.

Sworn before me, this 17th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 20.)

CITY AND COUNTY OF NEW YORK, ss.—John J. Duryee, being duly sworn, déposes and says as follows :

I reside in Fiftieth street, between Broadway and the Eighth avenue. I was engaged in the stage business, and am now engaged in the manure business, and for upward of a year past I have observed the dock, at the foot of Fortieth street, built about the line of the Twelfth avenue, North river. The land on each side of the street, which has been recently filled in, is mostly covered with water to the Eleventh avenue. The water reaching on the

north side nearly to the Eleventh avenue, and the south side nearly half way, and knowing that the wharf was advertised to be leased, and that it was very little used, I applied to the Comptroller to lease it. Upon my second application to the Comptroller, which was some time in May last, I was informed that the wharf had been set apart as a place at which the blood, offal and dead animals of the city were to be discharged. For upward of a year past I have been in the habit of being in the vicinity of that wharf, where I could see it nearly all the time, and I was frequently on it. During the whole of that time, I never saw any dead animals brought there. I have seen butchers go there, or persons I supposed to be such, and back their carts up to the string piece, on the opposite side of the dock to where the boat lay, and dump the contents of the barrels on their carts, into the river, which I believe to be offal, from the fact, that I have crossed the river and have seen the offal floating about there, and have seen the string piece, on the dock, stained with blood. I have seen the Dutchman, whose name I have understood to be Smith, who was in charge of the boat lying there, leave the boat, go to the cart, and aid the persons to discharge their contents into the river. I have seen James Riddle, who told me he was interested in the Reynolds' contract, pay the Dutchman money for his services, alleging that he was in his employ. The boat in the fall of 1852, and I think in September, was sunk along side of the dock, and lay so for a long time; I should think a month. She was afterward towed up to Forty-eighth street to be repaired. She was absent some time, and was brought back again. The same boat, about a fortnight since, I saw lying sunk there, and believe her to be so now. During the whole period I

have named, I have never seen any offal, blood, or animals placed or put on board of her. I have never seen any steam or other boat come there to remove her or take any thing away from it. Riddle told me at one time that he was interested in the Reynolds' contract, and that he had sold it out, and had made fifteen or twenty thousand dollars. I never saw any man acting at the dock as inspector, and never saw Mr. Riddle there more than three times, and one of those times he told me he was waiting for some slabs which he intended to take down to Barren Island to build some hog pens there. One load of slabs came while I was there; on another one of the occasions he told me he came there to see about the sunken boat.

JOHN J. DURYEE.

Sworn before me this 15th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 21.)

CITY AND COUNTY OF NEW YORK, ss.—James Price, being duly sworn, deposes and says as follows :

I reside in this city, corner of Fortieth street and Eleventh avenue. I am employed by George W. Quimby, at the corner of Thirty-ninth street and Eleventh avenue, as foreman to see to his business, which is the hide and fat business. I know there was a boat intended for the reception of offal, &c., as I supposed, lying at the foot of Fortieth street, North river, and the boat was also, at one time, at the foot of Thirty-ninth street. I have never seen any offals deposited on the said boat; this I once did see,

while the boat lay at the foot of Thirty-ninth street, a dead horse on the boat. Mr. Quimby has a slaughter-house next to the place where he keeps the hides and fat, and I have charge of that also. The offal from said slaughter-house has never been called for or taken away by any person in the employment of the Corporation but has been carted by me, or some one employed by me, to a place where the boat lay, sometimes to Thirty-ninth street, and sometimes to the foot of Fortieth street, and generally finding no person there to receive it, I have dumped it in the river, along the side of the dock. I have occasionally seen the old man in charge of the boat who has loaned me a bucket to wash out the cart after I have dumped the offals in the river in his presence. No objections were ever made to my dumping the offal in the river, or any request that I would put it in the boat. Had I been asked to put it in the boat, I should certainly have done it.

JAMES PRICE.

Sworn before me, this 16th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

BUTCHERS' AFFIDAVITS.

(No. 22.)

CITY AND COUNTY OF NEW YORK, ss.—Charles Cooper, being duly sworn, deposes and says as follows: I reside at No. 36 Sixth street; I am a butcher in Fulton market; my slaughter-house is Nos. 202 and 204 Eldridge street. I have been twenty-two years engaged in the business in this city. The blood of slaughtered animals is valuable in its crude state; I have been in the habit of collecting it

from various slaughter-houses, when fresh, and paying for it various prices, averaging from a shilling to eighteen cents a barrel. Mr. Reynolds, when he first obtained the contract from the city, sent two or three times, to the best of my recollection, for the offal at my slaughter-house, which was delivered; but for upward of a year past, has not applied for it to my knowledge; it is now removed by other parties; the blood I use myself; I use the blood, I should suppose, from about two-thirds of the slaughter-houses in the city for manufacturing purposes. Some person in the employment of Mr. Reynolds, about the early part of his contract, applied to me, at the market, and asked me if I was not going to let him have the bones; I told him no, that I thought I had the right to sell my property to whom I pleased; he replied that he would not take offal if I did not, or something to that import. I suppose he meant to pay some price for the bones, though I don't recollect that he mentioned any thing about it. About the same time the application was made to me for bones, as above. I saw Francis Munret, who was in the employ of Henry Adair, arrested by an officer, for buying bones in the market. I was present in the market, and saw Joseph Gilbertson, also in the employ of Henry Adair, arrested for buying bones. The offal from slaughter-houses, if removed fresh, with proper diligence, could be done without proving offensive, or being a nuisance, but if allowed to remain on the premises over evening, in warm weather, it becomes offensive.

CHARLES COOPER.

Sworn before me, this 6th }
day of July, 1853. }

F. R. TILLOU, *Recorder*.

(No. 23.)

CITY AND COUNTY OF NEW YORK, ss.—William H. McCreery, being duly sworn, deposes and says as follows : I reside in this city, corner of Eleventh avenue and Thirty-sixth street. I am a butcher; my place of business is Eighth avenue, near Twenty-sixth street. Where I kill is at a slaughter-house on Tenth avenue, near Thirty-sixth street. I have been in the habit of taking offal down to the foot of Fortieth street, North river, during the summer season, for the two past years at that point, and at the foot of Forty-third street, North river, where a receiving boat, part of the time, lay. During the winter season generally, persons would come to the slaughter-house and take away the offal, and sometimes in the summer season the offal would be so taken away. Offal went from this slaughter-house in the summer season pretty much every afternoon, except Sundays; it was sometimes taken by a boy, and sometimes I took it myself; the offal consisted of the blood of the animals and the intestines; the blood was taken in one barrel and the intestines in another; the blood was always thrown overboard; they refused to take it on board the boat; the intestines were sometimes refused, and that was likewise thrown overboard. During the whole of this time I never saw this boat go away from the places where it was fastened for the reception of this offal, nor have I ever seen any steamboat or other boat come to this boat for the purpose of removing the offal deposited there. I have no knowledge that any of the offal has ever been removed from the boat, nor do I know what disposition was made of it, not having seen any means for removing it from that boat, I came to the conclusion, in my own mind, that it was thrown over-

board at night. The boat was in charge of a Dutchman, whose name I don't know. There are from twelve to fifteen slaughter-houses in that neighborhood.

WILLIAM H. McCREERY.

Sworn before me, this 15th }
day of June, 1853. }

R. F. TILLOU, *Recorder.*

(No. 24.)

CITY AND COUNTY OF NEW YORK, ss:—E. Harrison, Reed, being duly sworn, deposes and says as follows: I reside at No. 415 Tenth avenue; I am a butcher; my slaughter-house is on the rear of my lot above. I was always in the habit, since I have been engaged in business, of having the blood and offal from my slaughter-house dumped into the river, at the place or places designated by the Corporation, until meeting Mr. Reynolds last summer or fall, I told him I understood it was his duty to remove the offal, &c., from slaughter-houses, and requested him to have mine attended to; he promised to do so, and for some months it was removed by his carts. He has ceased sending for it for three or four months. It is now removed by my boys every afternoon, and taken, as they inform me, to the foot of Thirty-ninth or Fortieth street, wherever the boat lays, and the boat being sunk, they are compelled to empty it into the dock. One of the boys is still with me; his name is George Howard.

E. HARRISON REED.

Sworn before me, this 21st }
day of June, 1853. }

R. F. TILLOU, *Recorder.*

(No. 25.)

CITY AND COUNTY OF NEW YORK, ss:—Thomas E. Broadway, being duly sworn, deposes and says, as follows:—I reside in this city, No. 290 Hudson street; I am a butcher; have a stall, No. 1 Clinton market, which I have occupied for twenty-four years. Before the contract with William B. Reynolds with the city, for removing offal, &c., was made, the butchers used to remove it themselves, which was done regularly every night, and the slaughter-houses cleaned; such was my practice at least, and I believe it was the practice generally; if the offal remains over night, it becomes very offensive by morning; since the Corporation have undertaken its removal, the carts are very negligent in calling for it, and I have been compelled, in self-defence, to have it carted myself, and dumped in the dock.

THOMAS. E. BROADWAY.

Sworn, before me, this 16th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

(No. 26.)

CITY AND COUNTY OF NEW YORK, ss:—Isaac Valentine, being duly sworn, deposes and says, as follows:—I reside No. 405 First avenue; I am a butcher; my stall is No. 17 Clinton market; my slaughter-house is in Twenty-fourth street, between First avenue and Avenue A; a boy comes for the offal at my slaughter-house every night, and the blood is taken by Mr. Cooper, who takes it to a sugar refinery; my offals are never taken from my place by the carts of the Corporation, or of Mr. Reynolds; nor have they ever called or applied for them; the offals are taken up town, I believe, to fat hogs; if I depended upon the Cor-

poration carts to take the offal no person would be able to live in the neighborhood; it should be removed every night, or they become very offensive.

ISAAC VALENTINE.

Sworn, before me, this 17th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 27.)

CITY AND COUNTY OF NEW YORK, ss:—Roger Clancy, being duly sworn, deposes and says, as follows:—I reside on Fifty-eighth street, between Sixth and Seventh avenues; I am not at present engaged in any particular business; in 1852, from first July about, until first May, 1853, I was Health Inspector of the Nineteenth Ward; I received my appointment from the Board of Health; during that period I saw, within my district, lying in open lots and in the streets, at different times, about five or ten dead horses, and over a hundred dead hogs and pigs; upon discovering these dead animals, I made a complaint to the City Inspector, Dr. White; this was in August, September and October, 1852; he told me he would not recognize me, and would not receive my complaint; finding he would give no attention to the removal of these dead animals, and the persons in the neighborhood where they lay, complaining to me about it, because they were offensive, I took them away and had them buried on vacant ground, distant from any dwellings, at my own expense, and which has not been reimbursed to me, it amounting to nearly one hundred dollars; I have seen dead animals lying about, of which I have complained at the Station house; and after the com-

plaint, they would be allowed to remain for two or three days before they would be removed.

ROGER CLANCY.

Sworn, before me, this 28th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

(No. 28.)

CITY AND COUNTY OF NEW YORK, ss:—Oscar W. Sturtevant, being duly sworn, deposes and says, as follows:—I was Alderman of the Third Ward, from first January, 1851, to first January, 1854; I was Assistant Alderman of said Ward from May, 1849, to first of June, 1851; whilst I was Assistant Alderman, in 1850, I was appointed as Chairman of a Special Committee, to investigate and report, as to the propriety of recommending an ordinance to prohibit the business of bone-boiling and horse-skinning on this island. We did investigate it, and such an ordinance was subsequently passed; I then became a member of the Board of Aldermen in 1851, and was again elected for 1852 and 1853; I think it was in the early part of 1852, that a Committee of the Board of Aldermen, of which I was a member, had in charge the question of awarding the contract for the removal of the offal, dead animals, &c., from the city. That Committee had several meetings before, which I think Mr. Menck, Mr. Green and many others appeared, but that no distinct propositions for said work was made by either of said individuals; but that a good deal of conversation was had between the Committee and those persons; from which it appeared to the Committee, that there was no settled course of action, and no

sufficiently definite knowledge of the business on the part of those persons, and the Committee was satisfied that they were not sincere in their statements; but I am not aware that any promise was given to any persons that they should be heard before the Committee, or that the Committee would meet again after its last meeting, when the investigation was closed. The Committee deemed the investigation and its determination thereon to be of the utmost importance, and should be closed as speedily as the public interests would warrant; and thereupon it was closed, and its determination reported to the Board.

was not the Chairman of the Committee, and did not prepare the report or present the same, and my impressions are, that the report was not presented to the Board the same day the Committee closed its labors. So far as it relates to the sale of the Fort Gansevoort property, the only thing I had to do with it was, that I offered a resolution in the Board of Aldermen authorizing the sale of that property by the Commissioners of the Sinking Fund, to D. Randolph Martin, which resolution was referred to the Committee of Finance, who, after some delay, reported in favor of the same; which was afterward amended in the said Board, authorizing the sale of that property to Mr. Martin or other applicants. Except that I have had neither part nor lot in that transaction, and had no interest in it directly or indirectly. I had no part in the transactions before the Commissioners in regard to the sale of that property, and no interest in it directly or indirectly; I had nothing to do with it whatever. In relation to the grant of the ferry to John J. Hicks, from Catharine street to Williamsburgh, I had no knowledge or connection, directly or indirectly, with that grant, or of any proceedings in rela-

tion to it until the report came into the Board of Aldermen, the action thereupon, except voting upon the report. Except the above, I had neither part nor lot in the transaction, and I had no interest in it directly or indirectly. As regards all other ferries passed during my official service, I had neither part nor lot in any proceedings in relation thereto, except only voting on the reports when they came in; and I had no interest directly or indirectly in any of those grants. In regard to the various railroad grants made by the Common Council, from time to time, in this city, I have never had, and have not now, in any or either of them, any interest whatever, directly or indirectly. In all the votes that I have given for railroads since I have been a member of the Common Council, have been given from a sincere conviction and belief that they were intended, and would be, for the public benefit. I have no knowledge, directly or indirectly, of any of the members of the Common Council having received, directly, or indirectly, any money, promise, or thing whatever, to influence his vote upon the subject of any grant or proceeding before the Common Council during my term of service.

OSCAR W. STURTEVANT.

Sworn, before me, this 5th }
day of January, 1854. }

F. R. TILLOU, *Recorder.*

(No. 29.)

CITY AND COUNTY OF NEW YORK, ss:—Gaspar Goldstein, a German, who does not understand English, being duly sworn, through an interpreter, viz: John W. Herbst,

who was first duly sworn truly to interpret the German into English and the English into German, of the questions put to, and the testimony of the witness, says: I reside in Forty-sixth street, next to the Ninth avenue, and have resided there two years; I have been seven years in the country; I know Mr. Reynolds, and also Mr. Riddle; I worked for them; Reynolds had a boat lying at the foot of Fortieth street, of which I had charge, it was for receiving the offal which was brought there by the butchers, and the blood which was brought there, was thrown into the river at the dock; the offal was never thrown into the river, but was put in large boxes on board the boat; the contents of the boat was taken by a steamboat to an island where there was a factory; the steamboat came every day to take the offal away, and was governed by the tide in its time of coming; the boat has been sunk, and now lies sunk, and has been so for the last three weeks, it was sunk before, and remained so two days, about three months ago; there is no boat to supply the place, now, of the one that has been sunken for three weeks; the offal is now brought by wagons, and is then put immediately on board the steamer; when the steamer is not there the offal is left in the boxes on the dock to await the arrival of the steamer; I have known the boxes to stand there five or six hours waiting for the steamer; I have never seen offal thrown in the river instead of being put on the boat; I take charge of the boat at 4, 5 and 6 o'clock in the morning, and remain there all day, and leave at 10 or 11 o'clock at night; at 12 o'clock I go to dinner, and am away from one-half to three-quarters of an hour; I go sometimes to a store, when it is very warm, but in sight of the boat; I am paid six dollars a week, wages, by Mr. White; my wages are

brought to me every Saturday, by a driver, by the name of Bower; I suppose he gets the money from Mr. White; Mr. White is a small man, about forty years of age; no dead animals are brought on this boat; Mr. Riddle has been in the habit of coming to the boat sometimes two and sometimes three times a week, and would stay from half an hour to an hour, he would be writing something; he don't come there now, and has not been there for the last two months; an inspector comes there every day and remains from a quarter to half an hour; he commenced coming about six weeks ago; after Riddle ceased to come there it was three or four weeks before the inspector began to come.

(Name written in German.)

Sworn before me, this 16th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

BONE-BOILERS' AFFIDAVITS.

(No. 30.)

CITY AND COUNTY OF NEW YORK, ss:—Samuel Garrison, being duly sworn, deposes and says as follows: I reside No. 254 Forty-fifth street; I am engaged in no business at present; I was formerly engaged in the bone-boiling business in Forty-sixth street, between Tenth and Eleventh avenues; I was an applicant to the Common Council for the contract to remove animals, bones and offal from the city, before the contract was given to William B. Reynolds; my petition was presented to the Board of Aldermen, and I proposed to remove it from the city free of

charge, provided the articles would be delivered on board boats; my application was made in perfect good faith, and I had perfect ability to perform the service, and offered to give good security; after my petition was presented to the Board of Aldermen, I attended a meeting of the Committee to whom the subject was referred, consisting of Alderman Sturtevant, Alderman Oakley and another gentleman; I had no opportunity to make any statement before that Committee, who were occupied hearing Mr. Green, and some others, and suddenly adjourned; I attended there without any written notice, having heard the subject was coming before them; while I was there I was well known to Alderman Sturtevant, who knew the business in which I was engaged, and I have no doubt, knew the object of my coming there, but gave me no opportunity of being heard. The witness has a sore hand, and is in consequence unable to sign his name.

SAMUEL ^{his} ~~X~~ _{mark.} GARRISON.

Sworn before me, this 15th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 31.)

CITY AND COUNTY OF NEW YORK, ss:—Alexander Hornby, being duly sworn, deposes and says, as follows: I reside No. 241 Ninth avenue; I have been engaged in the bone business, and my father was largely engaged in it, and made a great deal of money out of it; without competition it would be a very profitable business; buttons

are made from the best of the bones; animal black is made of bones, of an inferior quality, and the refuse bones are ground up for manure; the bones of an ordinary ox or cow, after taking out for buttons and animal black, would yield about five bushels of ground bones, which is worth from thirty to forty-five cents per bushel; the expense of grinding would not exceed one shilling a bushel. The net profit of the bones of an ox or cow, after deducting expenses, would be about one dollar and seventy-five cents; the value of the hide of a horse is about one dollar; of a cow or ox about two dollars; the fat of either of these animals would average twenty pounds, and is worth from six to six and a half cents a pound, as I believe; the blood is used by sugar refiners, and is valuable to them.

Q. If a person had the exclusive right of taking all the dead animals, offal and blood in this city, to be transported at his own expense, but without paying for the same, would it be a profitable business?

A. I cannot say; but if you will include in it all the bones made by the butchers, in cutting up their meat, it would be very profitable, and a fortune could be made in a very few years.

ALEX. HORNBY.

Sworn before me, this 24th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

(No. 32.)

CITY AND COUNTY OF NEW YORK, ss:—Francis Munret, being duly sworn, deposes and says as follows: I reside

No. 237 Marshall street, Brooklyn; I am engaged in the business of purchasing and selling bones. About the month of April, 1852, whilst I was in the store of Abraham A. Leggett, under Fulton market; Mr. Riddle tapped me on the shoulder, and said he would like to see me for a few moments; I walked out with him to the side-walk; an officer then came up and asked me if my name was Francis Munret; I told him it was; he then said he wished me to go with him; I asked him for what? he replied, for buying bones without a license; he allowed me to give bail for my appearance at the Court, No. 5, Duane street, and, after taking a dollar from me, for his fees, permitted me to go. Joseph Gilbertson, a man in my employment, was arrested, in about twenty minutes afterward, by the same officer, and upon the same charge; he was taken to the Eldridge street prison, I think about ten o'clock in the morning, and was detained there until about three or four o'clock in the afternoon of that day, when I procured bail for him, and he was suffered to depart; I saw Mr. Adair, who became Gilbertson's bail, pay fees there, for him, as also for another man, who was in prison for the same charge, as I understood, and who was also bailed by Mr. Adair. Proceedings were had in my case, before the justice of the court; I don't remember his name, which resulted in my acquittal, as I understood. I have continued ever since buying bones, and have not been molested therefor; I am paying, at the present time, ten cents for bullock's skulls, seven cents a-piece for short legs and shins of beef bones; small bones, about thirty cents a basket; sheep's heads, about half a cent a-piece; bones have varied in price, from the time I was arrested to the present time;

I should think they are about twenty-five per cent. higher now than then.

FRANCIS ^{his} MUNRET,
mark.

Sworn before me, this 6th }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

(No. 33.)

CITY AND COUNTY OF NEW YORK, ss:—Henry Adair, being duly sworn, deposes and says as follows: I reside No. 248 Marshall street, Brooklyn; for twenty-five years I was engaged in the bone-boiling business, seventeen years of which my business was near the Navy Yard, Brooklyn, until February last, when I sold out; from my knowledge of the value of the carcasses of dead animals, and the city of New York, I would be willing to take a contract for removing all the dead animals, bones, garbage from hotels, blood and offal, and soap-boilers' nuisances from the city of New York, and remove them so that no complaint would be made against it as a nuisance, without any charge to the city therefor, and give security in the amount of one hundred thousand dollars, for the faithful performance of the contract; the carcass of a dead cow, delivered at the river, on either side of the city, would be worth three dollars; the carcass of a horse would be worth a dollar and a half; the carcasses of dead hogs would be worth fifty cents a hundred weight; butchers' offal would be worth the cost of removal; butchers' blood is valuable, but I cannot at this time state what it is worth; the prices I have named above are prices I would have given at the time I was in busi-

ness. The bones of animals are very valuable for a variety of purposes.

HENRY ADAIR.

Sworn before me, this 5th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

HOTEL PROPRIETORS' AFFIDAVITS.

(No. 34.)

CITY AND COUNTY OF NEW YORK, ss:—Robert B. Coleman, being duly sworn, deposes and says as follows: I am one of the proprietors of the Astor House; the garbage from our establishment is taken away twice a day by William B. Reynolds or his order, for which he pays two hundred and fifty dollars a year in cash, and furnishes all the manure I require for my farm, which he delivers at my wharf at Flatlands, L. I. My farm is fifty acres, and is kept well manured; this arrangement commenced in April last, and now continues. Previous to that time, and back to October last, he supplied me with the manure as above, without any cash for our garbage, by which I mean the swill of the establishment; we pay for carrying the ashes and other rubbish away which is done about twice a week by some person employed by Thomas Sweeny, our foreman, at our expense; I don't remember what it costs.

R. B. COLEMAN.

Sworn before me, this 30th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

(No. 35.)

CITY AND COUNTY OF NEW YORK, *ss*:—John P. Treadwell, being duly sworn, deposes and says as follows: I am one of the proprietors of the St. Nicholas Hotel, in this city; the garbage or swill of our establishment is taken away by a man, whose name I don't recollect, twice a day, at a mere nominal sum, that is, seventy-five dollars for six months; we have been offered six hundred dollars a year for it; the ashes are taken away daily, at an expense to us of from four to seven dollars a week. No application has been made to us by Mr. Reynolds or the city authorities, for the swill or garbage, to my knowledge.

JOHN P. TREADWELL.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder*.

(No. 36.)

CITY AND COUNTY OF NEW YORK, *ss*:—Lorenzo Delmonico being duly sworn, deposes and says as follows: I reside No. 25 Broadway; I am the proprietor of a hotel at the above number, and another hotel, corner of South William street and Beaver street; the swill and garbage of the establishment No. 25 Broadway, is taken away by a man who pays about fifty dollars a year for it, and he also removes the ashes from the place without any charge; the swill and garbage from the hotel, corner of South William street and Beaver street, is taken away by a man by the name of Bouchan, for which I receive one hundred

dollars a year. The ashes and rubbish are removed by the city authorities from this place. Mr. Reynolds never applied at either of the above establishments to remove the garbage or swill, that I know of.

L. DELMONICO.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder*.

(No. 37.)

CITY AND COUNTY OF NEW YORK, *ss.*—John B. Monnot, being duly sworn, deposes and says as follows: I am the proprietor of the New York Hotel, and have been so since 1844, except about eight months, when I was absent; the garbage and swill is taken from my hotel, under a private arrangement with a man who pays me for it about one hundred and fifty dollars a year; it may be more; and he is under an engagement to take away all the ashes and rubbish of the hotel, without any charge. If he were not obliged to take the ashes and rubbish away for nothing, I would receive at least four hundred dollars for the swill and garbage. I never have been applied to by Mr. Reynolds, or any of the city authorities, for the garbage or swill.

J. B. MONNOT.

Sworn before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder*.

(No. 38.)

CITY AND COUNTY OF NEW YORK, *ss*.:—Samuel L. White, being duly sworn, deposes and says as follows: I am clerk in the Clarendon Hotel; Oliver C. Putnam is the proprietor; the swill and garbage of this establishment is carried away by a man who pays for it fifty dollars a year, and in addition, he takes away all the sweepings, dirt, and ashes of the establishment. I don't remember the name of the man; he uses the swill, as I understand, to feed hogs. Mr. Reynolds has never applied to us to remove the swill or garbage.

S. L. WHITE.

Sworn before me, this 1st }
day of July, 1858. }

F. R. TILLOU, *Recorder*.

(No. 39.)

CITY AND COUNTY OF NEW YORK, *ss*.:—Henry K. Cummings, being duly sworn, deposes and says as follows: I reside at Pearl Street House, and am one of the proprietors; the swill and garbage, from our house, is taken away by private arrangement, with a man whose name I don't recollect, and he pays us about seventy-five dollars a year for it; the ashes are taken away at our expense; the carts, which come around to take up dirt, refuse to take the ashes, without compensation; we have never been applied to by any of the persons employed by the Corporation, for our garbage, or swill, or ashes. Yesterday morning, I discovered a dead cat lying in the gutter, nearly opposite our

house; it must have laid there, to all appearance, for two or three days, as it was putrid, and very offensive; we caused it to be removed.

HENRY K. CUMMINGS.

Sworn, before me, this 1st }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

SOAP-BOILERS' AFFIDAVITS.

(No. 40.)

CITY AND COUNTY OF NEW YORK, ss:—James Buchan, being duly affirmed, says as follows: I reside in Westchester; I am a soap-boiler; my business is conducted No. 186 and No. 188 Elizabeth street, in this city; in the soap-boiling business, there is nothing considered as a nuisance taken away, and the only articles taken away, are spent ashes, which we sell to farmers, and there is no odor arising from them. The grease, coming from animals of the city, is worth, at the present market value, from seven to eight dollars per hundred pounds; no application has ever been made, at my establishment, by the contractor for removing offal, &c., or by any other person, for any articles denominated a nuisance, or for any thing else.

JAMES BUCHAN.

Affirmed, before me, this 28th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 41.)

CITY AND COUNTY OF NEW YORK, ss.—John D. Lee, being duly sworn, deposes and says as follows: I reside No. 34 Vesey street; I am a tallow chandler; my business is conducted on Thirty-third street, between Tenth and Eleventh avenues; there is nothing in my business which could be considered a nuisance required to be removed; the only articles taken away are spent ashes, used by farmers for manure; no application has ever been made, by the contractor for removing nuisances, &c., at my establishment, to remove any thing there; soap-boiling is also part of my business; the business of soap-boiling, if properly conducted, could not be a nuisance requiring the public authorities to interfere and cause to be removed any articles resulting from the business.

JOHN D. LEE.

Sworn, before me, this 29th }
day of June, 1853. }

F. R. TILLOU, *Recorder*.

(No. 42.)

CITY AND COUNTY OF NEW YORK, ss.—David S. Brown, being duly affirmed, says: I reside No. 22 Chrystie street; I am a soap and candle manufacturer; my business is conducted principally Nos. 24 and 26 Chrystie street; there are no articles in our business, or the refuse of it, that could be considered a nuisance, and nothing is taken away as refuse except the spent ashes, which are sold to farmers; no application has ever been made at my estab-

lishment by the contractor for removing offal, &c., or by any other person, for articles denominated as nuisances; the grease from dead animals is worth, at the present market value, from seven to eight dollars per hundred pounds.

DAVID S. BROWN.

Affirmed, before me, this 28th }
day of June, 1853. . }

F. R. TILLOU, *Recorder.*

(No. 43.)

CITY AND COUNTY OF NEW YORK, ss.—Samuel Colgate, being duly affirmed, says as follows: I reside in this city, No. 22 East Twenty-third street; I am one of the firm of William Colgate & Co., soap and starch manufacturers; our factories are in Jersey City; the said firm has, for upward of twelve months last past, been in the habit of purchasing of William B. Reynolds, of the city of New York, bone fat, at the rate of from five to seven and a half cents per pound, which, in the course of the year, amounts to from three to four thousand dollars, and perhaps more or less. I have been informed, by said Reynolds, that said bone fat is derived from materials collected in this city, and tried out on an island, beyond the Narrows; the only stuff or material, which results from the manufacture of soap, which may be regarded as offal stuff, is, when the fat is impure, a certain proportion of it is refuse, and, after some little time, will become offensive; there is no such

refuse in the manufacture of starch, and the refuse is then usually removed, and is used as a manure by the farmers.

SAMUEL COLGATE.

Affirmed, before me, this 24th }
day of June, 1853. }

R. F. TILLOU, *Recorder.*

(No. 44.)

CITY AND COUNTY OF NEW YORK, ss:—Charles W. Smith, being duly sworn, deposes and says as follows: I reside at No. 24, East Twenty-third street; I am a manufacturer of soap and candles; my business is carried on at No. 109 and No. 111 Elizabeth street; there is no refuse materials in my business, required to be removed, as a nuisance; the refuse, if any, would be valuable, and would go among the spent ashes, and be worth five shillings a cart load, consisting of fourteen bushels. No application has ever been made to me, by Mr. Reynolds, or any of the city authorities, for the removal of nuisances, from my establishment; persons in the employment of Mr. Reynolds are in the habit of calling, with a wagon, to remove blood and offal, from the slaughter-house of Robert Sharp, opposite my establishment; they are in the habit of bringing the barrels of blood from the slaughter-house to the street, and throwing the liquid part in the gutter, and putting the clotted part in the boxes in the wagon, which becomes very offensive, as the blood has to run a considerable distance in the street, before it reaches the sewer. The neigh-

bors have spoken to these men about it, but they have continued the practice, notwithstanding.

CHAS. W. SMITH.

Sworn before me, this 5th }
day of July, 1853. }

R. F. TILLOU, *Recorder.*

(No. 45.)

SUGAR-REFINERS' AFFIDAVITS.

CITY AND COUNTY OF NEW YORK, *ss*:—Robert L. Stuart, being duly sworn, deposes and says, as follows:—I reside in Chambers street, second door next to the corner of Greenwich street; I am a sugar-refiner; the bones of dead animals, when calcined, are valuable in my business, and are worth two and a half and two and five-eighth cents a pound on the average, all the year round; in the raw state, the bones I think are worth from one cent to one cent and a half per pound; we consume in our business at least from twenty thousand to thirty thousand dollars a year of calcined bones; the price we pay would fully average the rate of two and a half or two and five-eighth cents a pound.

ROBERT L. STUART.

Sworn, before me, this 30th }
day of June, 1853. }

F. R. TILLOU, *Recorder.*

(No. 46.)

CITY AND COUNTY OF NEW YORK, *ss*:—Peter Moller, being duly sworn, deposes and says, as follows:—I reside

No. 27 Rutgers place; I am a sugar-refiner; my place of business is on Water, South and Montgomery streets; butchers' blood is generally used for refining sugar; it is worth, when prepared for use, fifty cents a barrel; calcined bones are also used for the purpose of refining sugar; and we have paid for the past year at the rate of two and three-quarter cents a pound; I am not acquainted with the quantity of calcined bones an ox would produce; but am informed by those familiar with the business, that an ox would produce about one hundred pounds, which I believe to be correct.

PETER MOLLER.

Sworn, before me, this 8th }
day of July, 1853. }

F. R. TILLOU, *Recorder.*

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DOCUMENT No. 44.

BOARD OF ALDERMEN.

JUNE 8, 1854.

The following report of the Committee on Assessments, non-concurring with Board of Councilmen in confirmation of assessment list for regulating and grading Forty-fourth street, from Eleventh avenue to Hudson river, was received, laid on the table and ordered to be printed.

D. T. VALENTINE, *Clerk.*

The Committee on Assessments, to whom was referred the annexed Assessment List for the regulating and grading Forty-fourth street, from the Eleventh Avenue to the Hudson river, respectfully

REPORT:

That your Committee has had the subject under consideration, and find that the Common Council, on the eleventh day of March, 1850, passed an ordinance to regulate and grade Forty-fourth street, from Eleventh Avenue to the Hudson river, under such directions as shall be given by the Street Commissioner and one of the City Surveyors.

From the nature of the improvement, your Committee are impressed with a belief that it could be ascertained as well by the Street Commissioner or City Surveyor, that the work, when completed by the contractor, had been done in accordance with the contract, as it could be by an inspector appointed by the Street Commissioner.

It will be observed by reference to the ordinance, that no authority was given to the Street Commissioner to appoint an inspector, and without such authority there is no power vested in the Street Commissioner to appoint an inspector and charge the amount paid the inspector by way of assessment upon the property deemed to be benefited by the improvement.

The assessors have allowed, among other charges for the improvement, the sum of eleven hundred and fifty-five dollars for inspecting.

It appears by the Street Commissioner's return, annexed to the assessment list, there has been allowed for inspector's time on the work, seven hundred and seventy days at one dollar and fifty days per day, which makes the sum of eleven hundred and fifty-five dollars, and which sum has been included by the assessors in the assessment, and in the opinion of your Committee, contrary to law.

By reference to the assessment list, it will be seen that the contract price for this improvement was two thousand nine hundred and twenty-three dollars and thirty-three cents. And when your Committee take into consideration that the sum of eleven hundred and fifty-five dollars allowed for inspection—a sum nearly equal to the one

half of the contract—when in fact no inspector was required or authorized to be appointed; your Committee do not hesitate to say that in their opinion, the Street Commissioner has not only transcended his authority, but has violated his duty, and has acted in bad faith by making this return.

Your Committee, in consideration of the premises above stated, have come to the conclusion, that the sum of eleven hundred and fifty-five dollars for inspecting and included in the assessment, is not a valid charge, and ought not to be assessed upon the property benefited by the improvement.

Your Committee, therefore, recommend the adoption of the following resolution:

Resolved, That this Board do not concur in the resolution of the Board of Councilmen, confirming the assessment in this matter, and that the annexed assessment list for the regulating and grading Forty-fourth street, from the Eleventh Avenue to the Hudson river be referred back to the assessors, to be corrected by striking out the sum of eleven hundred and fifty-five dollars so allowed and assessed for inspecting said work, and that the assessment be made accordingly.

RICHARD MOTT, } *Committee on*
ORISON BLUNT, } *Assessments.*

The Committee on Assessments, to whom was recommit-
ted the annexed Assessment List for the regulating and
grading of Forty-fourth street, from the Eleventh Avenue
to the Hudson river, together with the previous reports
made thereon, respectfully

REPORT:

That they have again examined the matter particularly as
to the charge of eleven hundred and fifty-five dollars, allow-
ed and charged for inspecting of said work, and which has
been included in the amount of charges and expenses of
said improvement, and assessed by the assessors upon the
property on the line of said improvement.

By the act of the legislature of 1813, 2 R. Laws, page
407, § 175, the Mayor, Aldermen and Commonalty of the
city of New York, are authorized to cause the pitching
and paving the streets in the city, and to cause estimates
of the expense of conforming to such regulation, to be
made and a just and equitable assessment thereof among
the owners or occupants of all the houses and lots in-
tended to be benefited thereby, in proportion as nearly
as may be to the advantage which each shall be deemed
to acquire.

And the said Mayor, Aldermen, and Commonalty shall ap-
point such skillful and competent disinterested persons as
they shall or may think proper, to make such estimate and
assessments. That in pursuance of the amended charter
of 1849, the Common Council have created a Bureau of As-
sessments.

This bureau is charged with the duty of making estimates and assessments required by law, for pitching and paving streets "Section 191 of ordinances organizing the department."

The Common Council have assumed the authority to regulate streets, under the statute for pitching and paving.

It is not very clear, what the word "pitching" means, but we will assume that it means, regulating according to fixed grades, otherwise the Common Council have no authority to regulate streets, and to charge the expense thereof, by the way of assessment on the adjoining property, as being benefited thereby.

According to the rule laid down by our courts in several adjudged cases, this statute which authorizes the above-mentioned proceedings must be construed strictly, and strictly carried out as against the parties charged with the expense of the improvement.

Giving the statute a proper construction, no charge can or ought to be allowed, except such charges as are actually required in making the improvement. Among the charges allowed for the regulating and grading Forty-fourth street, is one of eleven hundred and fifty-five dollars, for inspecting said work. No one can pretend from the nature of the improvement, that an inspector was required on the work. There was nothing for an inspector to do.

By the terms of the ordinance, the work was to be done under the direction of the Street Commissioner, and a city surveyor.

The Street Commissioner made the contract, to have the street regulated according to the established grade of the city, and after the work was finished, it was the duty of City Surveyor to survey the work, and see if the street had been regulated according to the established grade. An inspector could have done nothing more. To pay an inspector the sum of eleven hundred and fifty-five dollars, where no services of the kind were required, is totally unauthorized by law, and a violation of the duty of the Street Department. No charge of this nature can, with any propriety be assessed upon the property charged by the way of assessment, for the expense of the improvement. And if the Street Commissioner has paid this sum to an inspector, appointed by him, under the sanction of the Common Council, that does not alter the nature of the charge, although it may exonerate him from any liability to the city, and in all such cases, the city must bear the expense of such profligate expenditure of the city funds. As they have no means, in the opinion of your Committee to reimburse the city by an assessment upon individual property, which in no wise has had the least benefit of the expenditure. The law of the state as well as the ordinance of the city, make it the duty for the assessors to estimate the expense of the improvement, as well as to assess that expense upon the property benefited. And should the assessors omit to make the estimate until the work is finished, they should be careful not to allow any illegal or improper charges, as such charges cannot be made the subject of an assessment.

In this case there has been an undoubted departure from their duty in taking the return of the Street Com-

missioner as their guide. The law has given the assessors a discretion, to be exercised prudently, in estimating the expense, subject, however, in all cases to be received and corrected by the Common Council. And in reviewing this matter, your Committee have come to the conclusion, that it would be a violation of their duty, if they did not recommend to this Board, to strike out from the assessment list the said sum of eleven hundred and fifty-five dollars, so allowed for inspecting said work, as the same cannot be legally charged and assessed upon the property, and do, therefore, recommend the adoption of their former report and resolution in the matter.

RICHARD MOTT, } *Committee on*
ORISON BLUNT, } *Assessments.*

The Committee on Assessments, to whom was referred the accompanying assessment lists for regulating and grading Fifty-sixth street, from the Fifth avenue to Broadway, respectfully

REPORT :

That your Committee has had the subject under consideration and find by the papers submitted to them, that the ordinance directing the improvement to be made, directs it to be done under such directions as shall be given by the Street Commissioner and one of the city surveyors. It appears by the return of the Street Commissioner that he has allowed for inspector's time on the work, four hundred and twenty-four days, at one dollar and fifty-cents per day, which makes the sum of six hundred and thirty-six dollars allowed for inspecting, and this sum has been included in the assessment list and assessed upon the property charged with the expense of the improvement.

Your Committee are of opinion that this duty of inspecting should have been performed by the Street Commissioner or the City Surveyor appointed to take charge of the work, as there was nothing for an inspector to do until the work was completed. If it had been otherwise, the ordinance would have provided for the appointment of an inspector, which, in this case, it has not done, and there is no authority vested in the Street Commissioner to appoint inspectors, except when special permission is given by the ordinance directing the work to be done.

The whole expense of the improvement is to be charged upon the owners of the property benefited, and no charge should be allowed unless strictly authorized by law.

Your Committee are satisfied that the charge of six hundred and thirty-six dollars for inspecting, was not only unnecessary, but unauthorized by law.

Your Committee therefore recommend the adoption of the following resolution:

Resolved, That this Board non-concur with the Board of Councilmen affirming the assessment in this matter; and that the annexed assessment list for the regulating and grading Fifty-sixth street, from the Fifth avenue to Broadway, be referred back to the assessors to be corrected, by striking out the sum of six hundred and thirty-six dollars so allowed and assessed for inspecting said work, and that the assessment be made accordingly.

RICHARD MOTT, } *Committee on*
ORISON BLUNT, } *Assessments.*

The Committee on Assessments, to whom was recommended the accompanying assessment list for the regulating and grading Fifty-sixth street, from the Fifth avenue to Broadway, and also the accompanying reports, have reconsidered the matter and respectfully

REPORT:

That from a subsequent examination of the matter your Committee are more strongly impressed that the charge allowed by the assessors for inspecting, and included in the assessment list, was improperly allowed by the assessors, and should be stricken out of the list, as a charge to be assessed upon the property on the line of the improvement.

Your Committee have expressed their reasons for coming to this conclusion in another report, for the regulating and grading Forty-fourth street, from the Eleventh avenue to the Hudson river, and it is, therefore, not necessary to repeat them here, as the principle in the two cases are similar. .

Your Committee therefore recommend the adoption of the former report and resolution of your Committee in same matter, and which is hereto annexed.

RICHARD MOTT, } *Committee on*
ORISON BLUNT, } *Assessments.*











